THE CITY OF SAN DIEGO

# ADDENDUM TO A PROGRAM ENVIRONMENTAL IMPACT REPORT

Project Number: 360649
Addendum to EIR No. 30330/304032
SCH No. 2004651076

**SUBJECT:** **St. Andrews Tentative Map: TENTATIVE MAP with a VACATION OF AN IRREVOCABLE OFFER TO DEDICATE (IOD) PUBLIC RIGHT-OF-WAY (PROW) and a SITE DEVELOPMENT PERMIT** to subdivide two parcels into six lots for the future development of light industrial uses, and to allow the construction of a public roadway extension, street and utility improvements, and on-site bio-retention basins on a vacant 16.66-acre site. St. Andrews Avenue would be extended eastward from its existing terminus at Ailsa Court to the eastern site boundary and would bisect the project site. A bio-retention basin would be constructed on each proposed lot and associated storm drain pipelines would be constructed to connect to existing storm drain systems in the project area. Utility services would be provided through existing utility infrastructure in the surrounding area with associated manholes, signal boxes, and meters. The project is located south of Otay Mesa Road, north of State Route (SR) 905, east of Ailsa Court and in between the eastern and western portions of St. Andrews Avenue within the IL-3-1 (Industrial-Light) zone of the Otay Mesa Community Planning Area, Community Plan Implementation Overlay Zone (CPIOZ) Type A, Brush Management, Very High Fire Hazard Severity Zones, Airport Land Use Compatibility Overlay Zone, ALUCP Noise Contours (CNEL), Airport Safety Zones, Airport Influence Area (Review Area 1), and the Federal Aviation Administration (FAA) Part 77 Notification area. (LEGAL DESCRIPTION: Parcels 1 and 2 in the City of San Diego, County of San Diego, State of California, According to Parcel Map No. 21121, Filed in the Office of the San Diego County Recorder, April 16, 2014, Assessor Parcel Numbers 646-111-46 and 47). Applicant: DEXUS Otay Mesa.

## I. PROJECT DESCRIPTION

**A TENTATIVE MAP with a VACATION OF AN IRREVOCABLE OFFER TO DEDICATE (IOD) PUBLIC RIGHT-OF-WAY (PROW) and a SITE DEVELOPMENT PERMIT** to subdivide two parcels into six lots for the future development of light industrial uses, and to allow construction of a public roadway extension, street and utility improvements, and on-site bio-retention basins (Figures 1, 2, and 3). No building construction is proposed.

Proposed Lots 1 and 2 would be created on the northern portion of the site, which would be approximately 4.03 and 4.35 acres. The southern portion of the site would be divided into proposed Lots 3, 4, 5, and 6, with Lot 3 encompassing approximately 2.50 acres and the remaining three lots (Lots 4, 5, and 6) encompassing approximately 1.50 acres each.

St. Andrews Avenue would be extended eastward from its existing terminus at Ailsa Court to the eastern site boundary and would bisect the project site. The proposed roadway extension would include a 92-foot-wide PROW comprised of 64 feet of pavement (two travel lanes), 9-foot-wide landscaped parkway on each side, and 5-foot-wide sidewalks on each side. Seven curb cuts would be constructed along St. Andrews Avenue. Stop signs would be added at all three approaches at the Ailsa Court and St. Andrews Avenue intersection, with handicapped-access ramps installed at the project sidewalk entrances to the intersection.

A bio-retention basin would be constructed on each proposed lot and associated storm drain pipelines would be constructed to connect to existing storm drain systems in the project area. Utility services would be provided through existing utility infrastructure in the surrounding area with associated manholes, signal boxes, and meters. A power pole would be installed near the northeastern corner of the project site on the Otay Mesa Road sidewalk. A fire hydrant would be installed adjacent to Otay Mesa Road.

Proposed project landscaping would include the aforementioned 9-foot-wide landscaped parkway on each side of the St. Andrews Avenue extension; the project would provide street trees meeting the requirements of the City of San Diego's (City's) Municipal Code Section 142.0409 on this parkway. The bio-retention basins would also be vegetated, which would be underlain by hardwood mulch and permeable soil.

Project grading would encompass approximately 16.9 acres and would include the project site and street frontages. Earthwork would be balanced with approximately 50,000 cubic yards (cy) of cut and 50,000 cy of fill. The maximum cut depth for grading would be 9 feet and the maximum fill depth would be 5 feet. Slopes would be at a maximum gradient of 2:1. Trenching for utilities would also occur, with approximately 1,500 cy of remedial grading for installation of wet utilities. The maximum cut depth for sewer, potable water, and storm drain trenching would be approximately 10, 4, and 6 feet.

## II. ENVIRONMENTAL SETTING

The vacant 16.66 acre site is located south of Otay Mesa Road, north of State Route (SR) 905, east of Ailsa Court and in between the eastern and western portions of St. Andrews Avenue within the IL-3-1 (Industrial-Light) zone of the Otay Mesa Community Planning Area. The project site is relatively level; elevation on the site ranges from 504 feet above mean sea level (amsl) in the northern portion of the project site to 494 feet amsl in the southern portion.

Surrounding uses include Otay Mesa Road and Brown Field Municipal Airport (across Otay Mesa Road) to the north, commercial warehouses to the west, a vacant lot to the east with commercial buildings and industrial automotive uses adjacent to the east of the vacant lot, and SR 905 to the south. Southwestern College Higher Education Center at Otay Mesa and commercial areas are located further to the south across SR 905.

Surrounding zoning includes IBT-1-1 (Industrial—Business and Trade) on the adjacent western properties, unzoned for Brown Field Municipal Airport adjacent to the north, IL-3-1 (Industrial-Light) for the adjacent eastern properties, and IP-1-1 (Industrial—Park) for the properties beyond SR 905 to the south.

The project is located within the Otay Mesa Community Planning area, Community Plan Implementation Overlay Zone (CPIOZ) Type A, Brush Management, Very High Fire Hazard Severity Zones, Airport Land Use Compatibility Overlay Zone, ALUCP Noise Contours (CNEL), Airport Safety Zones, Airport Influence Area (Review Area 1), and the Federal Aviation Administration (FAA) Part 77 Notification area. The project site is an urban community in a neighborhood setting of similar uses, and is currently served by existing public services and utilities.

## III. PROJECT BACKGROUND

The Final Program Environmental Impact Report (PEIR) for the Otay Mesa Community Plan Update (OMCPU) was certified by the City in March 2014 (SCH No. 200461076). In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15168, the PEIR examined the environmental impacts of the OMCPU, which is comprised of a series of actions, and the combined actions are characterized as one large project. The PEIR serves to (1) provide decision-makers, public agencies, and the public with detailed information about the potential significant adverse environmental impacts associated with implementation of the OMCPU; and (2) identify a mitigation framework (in the Mitigation Monitoring and Reporting Program [MMRP]) which provides ways to substantially lessen or avoid significant effects, whenever feasible.

Implementation of the OMCPU requires subsequent approval of public or private development proposals (i.e., future development) to carry out the land use plan and demonstrate compliance with policies presented in the OMCPU. In accordance with State CEQA Guidelines Section 15168(c), when subsequent activities are proposed, the City will examine those activities to determine whether the effects have been adequately addressed in the PEIR. If, in examining these future actions, the City finds no new effects could occur, or no new mitigation measures would be required other than those analyzed and/or required in the PEIR, the City can approve the activity as being within the scope covered by the PEIR, and no new environmental documentation would be required. If additional analysis is required, it can be streamlined by tiering from the PEIR pursuant to CEQA Guidelines Sections 15152, 15153, and 15168 through preparation of a Mitigated Negative Declaration, Addendum, or Focused EIR.

The proposed project is considered a future development proposal that would implement the OMCPU that was programmatically evaluated in the Final PEIR. As such, the City examined the project in light of OMCPU and associated Final PEIR, and determined that additional refined analysis for the project-specific action that implements the OMCPU should be conducted to (1) demonstrate that potential impacts resulting from the proposed project were previously identified in the Final PEIR, (2) project impacts would not be substantially more severe than identified in the Final PEIR, and (3) the proposed project and project-specific mitigation would implement and be consistent with the mitigation framework identified in the Final PEIR and MMRP. This Addendum to the Final PEIR for the OMCPU serves as the subsequent CEQA documentation for the proposed project.

The project site is identified in the OMCPU as undeveloped land within the Airport District and is designated Heavy Commercial. Lands with the Heavy Commercial Designation allow for a variety of

commercial and industrial uses, but it is intended for heavier commercial uses such as distribution, storage, and large retail establishments. While the adopted OMCPU designates the site as Heavy Commercial, the Final PEIR shows the site with a designation of International Business and Trade, which allows for single and multi-tenant office, research and development, light manufacturing, and storage and distribution uses. This difference in land use designations is the result of an inadvertent error in the Final PEIR. Several land use changes occurred to the OMCPU just prior to its adoption and not all of them were captured in the Final PEIR, including the land use designation for the project site. This inadvertent error does not affect the impacts and/or conclusions identified in the Final PEIR and is not relevant to the decision to prepare an Addendum to the Final PEIR for the proposed project.

## IV. ENVIRONMENTAL DETERMINATION

The City of San Diego previously prepared a PEIR (SCH No. 2004651076) for the OMCPU. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City of San Diego has determined the following:

- There are no substantial changes to the OMCPU that would require major revisions to the Final PEIR due to new significant environmental impacts or a substantial increase in the severity of impacts identified in the Final PEIR.

- Substantial changes have not occurred in the circumstances under which the OMCPU is being undertaken that would require major revisions of the Final PEIR to disclose new, significant environmental effects or a substantial increase in the severity of the impacts identified in the Final PEIR.

- There is no new information of substantial importance not known at the time the Final PEIR was certified that shows any of the following:

    - The project will have any new significant effects not discussed in the Final PEIR.

    - There are impacts that were determined to be significant in the Final PEIR that will be substantially increased.

    - There are additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the Final PEIR.

    - There are additional mitigation measures or alternatives that were rejected by the Project proponent that are considerably different from those analyzed in the Final PEIR that would substantially reduce any significant impact identified in the Final PEIR.

Based upon a review of the current project, none of the conditions described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested that would result in new significant or substantially increased adverse impacts as a result of the proposed project.

Therefore, this Addendum has been prepared in accordance with Section 15164 of the State CEQA Guidelines. Public review of this Addendum is not required per CEQA Guidelines Section 15164(c).

In addition, this Addendum to the OMCPU Final PEIR includes the following analysis to demonstrate that environmental impacts associated with the proposed project are consistent with the Final PEIR. The following discussion includes the environmental issues analyzed in detail in the OMCPU Final PEIR.

## V. IMPACT ANALYSIS

This document serves as an Addendum to the previously certified OMCPU Final PEIR, as referenced above. This addendum to the PEIR provides the required project-specific environmental review pursuant to CEQA and the City's implementing procedures. The analysis in this document evaluates the adequacy of the Final PEIR, relative to the approval of the project. The Final PEIR defines mitigation measures for all projects within the OMCPU area, including the project site.

The City contemplated the impacts of developing the project site and determined that specific overriding economic, legal, social, technological, and other benefits of the OMCPU outweigh any and all significant effects that the development would have on the environment, and that on balance, the remaining significant unmitigated effects were found acceptable based on the Statement of Overriding Considerations adopted in conjunction with City Council approval of the OMCPU.

The OMCPU Final PEIR indicates that direct significant impacts to the following would be substantially lessened or avoided if all the mitigation measures included in the Final PEIR are implemented: land use, biological resources, historical resources, human health/public safety/hazardous materials, hydrology/water quality, geology/soils, and paleontological resources. The OMCPU Final PEIR concluded that significant impacts related to noise, traffic/circulation, air quality, greenhouse gas (GHG) emissions, and utilities (solid waste) would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the OMCPU Final PEIR would result in significant traffic/circulation, air quality, noise, utilities (solid waste), and GHG emissions, which would remain significant and unmitigable.

The following environmental issues were considered during review of the project relative to the OMCPU Final PEIR and determined to be potentially significant and required subsequent analysis and or discussion as part of this Addendum: land use, visual effects/neighborhood character/aesthetics, air quality/odor, biological resources, human health/public safety/hazardous materials, hydrology/water quality, geology/soils, energy conservation, noise, paleontological conditions, traffic/circulation, public services, utilities, water supply, population and housing, agricultural and mineral resources, and GHGs.

The following provides an analysis of the potential impacts of the project compared with the impacts analyzed in the OMCPU Final PEIR. This comparative analysis has been undertaken (pursuant to the provisions of CEQA) to provide City decision makers with the factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the OMCPU Final PEIR was certified require additional environmental review or preparation of a subsequent or supplemental EIR. The basis for each of the findings is explained in the analysis that follows.

*Impact Analysis Summary*

The analysis provided in this Addendum indicates that there are no new significant impacts that would result from the project and that all project-level impacts can be fully mitigated. A comparison

of the project's impacts related to those of the adopted OMCPU Final PEIR is provided below in Table 1.

**Table 1**
**IMPACT ASSESSMENT SUMMARY**

| Resource Area | OMCPU Final PEIR Analysis | Project | Project Resultant Impact | OMCPU Final PEIR Mitigation | Project level Mitigation |
|---|---|---|---|---|---|
| Land Use | Significant, but mitigated | No new impacts | Less than significant | Yes | No |
| Visual Effects/ Neighborhood Character/Aesthetics | Less than significant | No new impacts | Less than significant | No | No |
| Air Quality/Odor | Significant, and unavoidable | No new impacts | Less than significant | Yes | No |
| Biological Resources | Significant, but mitigated | No new impacts | Less than significant | Yes | Yes |
| Historical Resources | Significant, but mitigated | No new impacts | Less than significant | Yes | Yes |
| Human Health/Public Safety/Hazardous Materials | Significant, but mitigated | No new impacts | Less than significant | Yes | No |
| Hydrology / Water Quality | Significant, but mitigated | No new impacts | Less than significant | Yes | No |
| Geology/Soils | Significant, but mitigated | No new impacts | Less than significant | Yes | No |
| Energy Conservation | Less than significant | No new impacts | Less than significant | No | No |
| Noise | Significant, and unavoidable | No new impacts | Less than significant | Yes | No |
| Paleontological Resources | Significant, but mitigated | No new impacts | Less than significant | Yes | Yes |
| Traffic/Circulation | Significant, and unmitigated | No new impacts | Less than significant | No | No |
| Public Services | Less than significant | No new impacts | Less than significant | No | No |
| Utilities | Significant, and unavoidable | No new impacts | Less than significant | Yes | No |
| Water Supply | Less than significant | No new impacts | Less than significant | No | No |
| Population and Housing | Less than significant | No new impacts | Less than significant | No | No |
| Agricultural and Mineral Resources | Less than significant | No new impacts | Less than significant | No | No |
| Greenhouse Gases | Significant, and unavoidable | No new impacts | Less than significant | Yes | No |

## LAND USE

*OMCPU FINAL PEIR*

Potential impacts to land use were analyzed in Section 5.1 of the OMCPU Final PEIR.

***Land Use Plan Conflicts and Land Use Compatibility***

The OMCPU Final PEIR finds that impacts from land use plan conflicts and land use compatibility from implementation of the OMCPU would be less than significant.

***Regulation Consistency***

*Environmental Sensitive Lands (ESL):*

Regarding regulation consistency and Environmentally Sensitive Lands (ESL) regulations, the OMCPU Final PEIR finds that the development footprint of the OMCPU would encroach into sensitive ESL areas. Future public and private development proposals would be required to comply with the ESL Regulations or process a Site Development Permit in order to deviate from the regulations. Additionally, all subsequent discretionary projects would be subject to review in accordance with CEQA at which time, appropriate site-specific mitigation in accordance with the Mitigation Framework LU-2 (MHPA Land Use Adjacency Guidelines), and BIO-1 (Sensitive Biological Resources), BIO-2 (Migratory Wildlife), and BIO-4 (Wetlands/Jurisdictional Resources) would be identified for impacts to sensitive biological resources covered under the ESL Regulations. BIO-3 refers to Mitigation Framework BIO-1. The CPU also includes several policies (see Table 5.4-5 of the OMCPU Final PEIR) which aim to reduce impacts to sensitive and other resources covered under the ESL regulations as well as development regulations required for projects within areas covered by CPIOZ Type A, which address sensitive biological resources. The OMCPU Final PEIR implements mitigation framework LU-1a for ESL impacts. LU-1b refers to the Historical Resources Regulations. Future development project types that are consistent with the OMCPU, base zone regulations, and the supplemental regulations for CPIOZ Type A, and can demonstrate that there are no biological resources present on the project site can be processed ministerially and would not be subject to further environmental review under CEQA. Development proposals that do not comply with the CPIOZ Type A supplemental regulations are subject to discretionary review in accordance with CPIOZ Type B and the mitigation frameworks LU-2 and BIO 1-4. Future projects would be required to comply with the above regulations, policies, and mitigation. Therefore, at the program-level the OMCPU would not be in conflict with the purpose and intent of the ESL regulations and potential impacts would be below a level of significance.

*Historical Resources Regulations:*

Regarding regulation consistency and historical resources regulations, given the presence of historical resources distributed throughout the OMCPU area, implementation of the OMCPU has the potential to result in significant impacts to historical resources. The OMCPU includes several policies aimed to reduce impacts to historical resources within the OMCPU area as well as development regulations required for projects within areas covered by CPIOZ Type A which address archaeological resources. Additionally, incorporation of the mitigation framework for historical resources contained in Section 5.5 of the OMCPU Final PEIR would reduce the potential for

significant impacts at the project-level. To reduce significant impacts, the OMCPU Final PEIR identifies mitigation framework LU-1b, which would have future development project types that are consistent with the OMCPU, base zone regulations, and the supplemental regulations for CPIOZ Type A and can demonstrate that there are no archaeological resources present on the project site can be processed ministerially and would not be subject to further environmental review under CEQA. Development proposals that do not comply with the CPIOZ Type A supplemental regulations shall be subject to discretionary review in accordance with CPIOZ Type B and the mitigation framework HIST-1 (Archaeological Resources).

***Environmental Plan Consistency***

*Multiple Species Conservation Plan (MSCP)/Multi Habitat Planning Area (MHPA):*

Regarding environmental plan consistency, potential indirect impacts would be evaluated at the project-level for consistency with the MHPA Land Use Adjacency Guidelines. Implementation of the OMCPU would introduce land uses adjacent to MHPA which would potentially result in a significant impact at the program-level. The OMCPU Final PEIR implements mitigation framework LU-2 for MHPA Land Use Adjacency Guidelines impacts.

*PROJECT*

***Land Use Plan Conflicts and Land Use Compatibility***

*Community Plan/General Plan:*
The project site is designated "Heavy Commercial" in the Otay Mesa Community Plan Update. This designation allows for heavier commercial uses such as wholesale, distribution, storage, and vehicular sales and service. Future uses on the site would be required to be consistent with the land use designation. Furthermore, future light industrial uses would be required to be consistent with the applicable policies contained in the Otay Mesa Community Plan Update. The project is zoned as IL-3-1 (Industrial-Light) and future uses on the site would be required to adhere with the development regulations of the IL-3-1 zone.

The General Plan designates the area as Commercial Employment, Retail, & Services, with adjacent land use designations to the west being Industrial Employment. The future light industrial uses of the project would be compatible with these land use designations.

*Airport:*

The project site is located within Review Area I of the Airport Influence Area, Airport Safety Zones, 60-65 dBA CNEL Noise Contours, and the FAA Part 77 Notification Area for Brown Field Municipal Airport (as shown in its ALUCP). Due to the project's location, future development on site would need to comply with FAA height notification requirements. With notification to the FAA, the project would not conflict with the ALUCP.

Based on the foregoing, the proposed project would not conflict with applicable land use plans, policies, or regulations. No associated land use impacts would occur.

***Regulation Consistency***

*ESL:*

See the Biological Resources section below for additional information.

*Historical Resources:*

Regarding historical resources, the project would have the potential to significantly impact cultural resources and the project would implement OMCPU Final PEIR mitigation framework HIST-1 to reduce the impacts to less than significant. Please see the Historical Resources section below for additional information.

***Environmental Plan Consistency***

*MSCP/MHPA:*
The project would not conflict with the City's Multiple Species Conservation Plan (MSCP) in that the site is not located within or adjacent to the MHPA. The closest MHPA land is 0.42 miles to the south at La Media Road and Airway Road, beyond existing developed uses. As such, project development would not conflict with the City's MSCP Subarea Plan or any other conservation plans. No associated impacts would occur and OMCPU Final PEIR mitigation framework LU-2 would not be applicable to the proposed project.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant land use impacts or a substantial increase in the severity of impacts to land use from that described in the OMCPU Final PEIR.

**VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER**

*OMCPU FINAL PEIR*

Potential impacts to visual effects and neighborhood character were analyzed in Section 5.2 of the OMCPU Final PEIR. The OMPCU Final PEIR finds less than significant impacts to public views through preservation of existing public views. Less than significant impacts would occur to compatibility, landform alternation, and unique physical features from compliance with the relevant land use and development design guidelines and policies of the General Plan and OMCPU.

*PROJECT*

The site is located in a developed industrial area and no scenic vistas or public view corridors exist on the site per the General Plan and the OMCPU. No impacts to a public views would occur.

The project site is located in an industrial area and mostly surrounded by existing development, including other light industrial uses. The project would subdivide the property and construct a public road extension, utility improvements, and drainage facilities for the future development of additional light industrial buildings. These site improvements would be compatible with surrounding

industrial development. Although no buildings would be constructed at this time, future buildings would be similar in form to the existing buildings to the west and south of the project site. They would be designed and constructed to accommodate light industrial uses in accordance with the zoning and land use designation for the site and surrounding area. They would also be designed in compliance with applicable development regulations of the IL-3-1 zone classification and design guidelines/policies contained in the OMCPU that govern the site and surrounding area. Therefore, the proposed project would be compatible with the existing visual character and quality of the area, and the project would not substantially degrade the existing visual character or quality of the site and the surrounding land uses. No impacts to compatibility would occur.

The site does not contain rock outcroppings, trees, or historic buildings. The site is relatively flat and would not significantly change a landform. Therefore, no impacts from landform alternation and to unique physical features would occur.

**CONCLUSION**

Based on the foregoing analysis and information, there is no evidence that the project requires a major change to the OMCPU Final PEIR. The Project would not result in any new significant visual effects and neighborhood character impacts, nor is there a substantial increase in the severity of visual effects and neighborhood character impacts from that described in the OMCPU Final PEIR.

**AIR QUALITY/ODOR**

*OMCPU FINAL PEIR*

***Construction Emissions***

Impacts to air quality were analyzed in Section 5.3 of the OMCPU Final PEIR. The OMCPU Final PEIR found that air emissions due to construction would not exceed the applicable thresholds for individual projects. However, if several of these projects were to occur simultaneously, there would be the potential for multiple projects to exceed significance thresholds. While it was not anticipated by the OMCPU Final PEIR that construction activities under the OMCPU would result in significant air quality impacts, as air emissions from the future developments within the OMCPU area were not able to be adequately quantified, impacts to air quality impacts from construction emissions were found to be significant and unavoidable. The OMCPU Final PEIR identifies mitigation framework AQ-1 to be implemented by future development projects that would exceed daily construction emissions thresholds established by the City of San Diego by requiring use of best available control measures/technology to reduce construction emissions to below the City's standards.

***Operational Emissions***

For operational emissions, the OMCPU Final PEIR found that although emissions under the OMCPU would exceed project-level thresholds (which would potentially have a significant air quality impact when compared to the existing condition), the OMCPU would result in lower emissions than the adopted plan. The OMCPU would be consistent with adopted regional air quality improvement plans and would represent a decrease in emissions used to develop the San Diego County Air Pollution Control District (SDAPCD) Regional Air Quality Strategy (RAQS). However, as air emissions from the future developments within the OMCPU area could not be adequately quantified, impacts from

operational emissions were found to be significant and unavoidable. The OMCPU identifies mitigation framework AQ-2 to be implemented by future development projects and states that development that would significantly impact air quality, either individually or cumulatively, were to receive entitlement only if it was conditioned with all reasonable mitigation to avoid, minimize, or offset the impact. As a part of this process, future projects are required to buffer sensitive receptors from air pollution sources through the use of landscaping, open space, and other separation techniques.

***Odors***

The OMCPU Final PEIR found less than significant impacts from odors from implementation of the OMCPU.

*PROJECT*

***Construction Emissions***

The proposed project is located within the San Diego Air Basin, which is currently classified as a non-attainment area under the California Ambient Air Quality Standards (CAAQS) for particulate matter ($PM_{10}$ and $PM_{2.5}$) and ozone ($O_3$), as identified in the California State Implementation Plan (SIP).

Project construction activities would generate exhaust emissions from construction vehicles and equipment, as well as materials deliveries. The project also would result in temporary dust generation due to excavation and backfill activities and movement of vehicles and equipment. The proposed project would incorporate standard dust-control Best Management Practices (BMPs) such as application of water during grading, application of gravel and water to unpaved roads on the project site, and stabilization of dirt storage piles, in accordance with OMCPU Final PEIR mitigation framework AQ-1 and the San Diego Air Pollution Control District (SDAPCD) Rule 55, Fugitive Dust Control. In addition, locations where public street access intersects with construction site ingress and egress would be cleaned of any track-out materials left behind by construction vehicles. Therefore, given the temporary duration and extent of proposed construction activities, incorporation of dust-control BMPs, and consistency with mitigation framework AQ-1, associated construction-related air quality impacts would be less than significant.

***Operational Emissions***

As noted earlier, the OMCPU would be consistent with adopted regional air quality improvement plans and would represent a decrease in emissions used to develop the SDAPCD RAQS. The proposed project is consistent with the OMCPU and therefore would not conflict with the goals of the RAQS. The project would subdivide the property and construct a road extension, utility improvements, and drainage facilities for the future development of additional light industrial buildings. Although no building construction is proposed at this time, the following analysis addresses future buildout of the site with light industrial uses in accordance with the site's land use designation and zone classification. The City's CEQA Significance Thresholds contain screening level thresholds for certain development types for criteria pollutant air quality emissions. According to these screening level thresholds, development projects that would generate 9,500 average daily trips (ADT) or more could potentially result in air quality impacts. According to the Trip Generation

Analysis prepared for the project (LOS Engineering, Inc. 2014), assuming that all six lots are developed with warehouse or manufacturing/assembly uses, the project would generate a total of 984 ADT. This is well below the 9,500 ADT screening threshold; therefore, operational air emissions generated by the project are not expected to result in significant air quality impacts.

The San Diego Air Basin is classified as a non-attainment area under federal standards for ozone (8-hour standard). Construction activities associated with subdivision of the project parcels, road extension, utility improvements, and drainage features, as well as future light industrial development in accordance with the site's land use designation and zone classification would not create considerable ozone or $PM_{10}$ emissions from construction and operation.

According to the Trip Generation Analysis prepared for the project (LOS Engineering, Inc. 2014), assuming that all six lots are developed with warehouse or manufacturing/assembly uses, the project would generate a total of 984 ADT. This is well below the 9,500 ADT threshold; therefore, operational air emissions generated by the project are not expected to result in significant air quality impacts and implementation of OMCPU Final PEIR mitigation framework AQ-2 would not be required.

***Odors***

Odors would be generated from vehicles and/or equipment exhaust emissions during construction of the project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and application of architectural coatings. Such odors are temporary and generally occur at magnitudes that would not affect substantial numbers of people. Project operation would potentially include industrial uses similar to surrounding land uses and would not be expected to create objectionable odors that would affect a substantial number of people. Impacts would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the proposed project's construction and operation would result in any new significant air quality environmental impact, nor would there be a substantial increase in the severity of air quality impacts from those described in the OMCPU Final PEIR.

**BIOLOGICAL RESOURCES**

*OMCPU FINAL PEIR*

Biological resources are addressed in Section 5.4 of the OMCPU Final PEIR. Specifically, the PEIR addresses sensitive plants and animals, migratory wildlife, sensitive habitat, the MSCP, invasive plants, wetland impacts, and noise generation.

***Sensitive Plants and Animals***

The OMCPU Final PEIR finds that implementation of the OMCPU has the potential to impact sensitive plants and animals directly through the loss of habitat or indirectly by placing development adjacent to the MHPA. The OMCPU Final PEIR implements mitigation frameworks BIO-1 (Sensitive biological

resources), BIO-2 (Migratory wildlife), BIO-3 (which refers to BIO-1), BIO-4 (Wetlands/Jurisdictional resources), and LU-2 (MHPA Land Use Adjacency Guidelines) to reduce impacts to sensitive plants and animals to less than significant.

***Migratory Wildlife***

The OMCPU Final PEIR finds that future development, including construction or extension of OMCPU roadways, utility lines, and/or temporary construction activities, has the potential to interfere with nesting, reduce foraging habitat, and obstruct wildlife movement as a result of noise, construction activities, habitat loss and/or fragmentation. Any direct or indirect impacts to migratory wildlife nesting, foraging, and movement would be considered significant.

The OMCPU Final PEIR implements mitigation framework BIO-2 to reduce impacts to migratory wildlife.

***Sensitive Habitat***

The OMCPU Final PEIR finds that impacts to Tier I, II, IIIA, and IIIB habitats would be significant. These sensitive upland habitats include: maritime succulent scrub, native grassland, Diegan coastal sage scrub, southern mixed chaparral, and non-native grassland. The OMCPU Final PEIR implements mitigation framework BIO- 1 to reduce impacts to sensitive biological resources.

***MSCP***

The OMCPU Final PEIR determines that potential impacts would be evaluated at the project-level for consistency with the MHPA Land Use Adjacency Guidelines. As implementation of the OMCPU would introduce land uses adjacent to MHPA, this is a potentially significant impact at the program-level. MHPA adjacency impacts would be addressed at the project-level through implementation of OMCPU Final PEIR Mitigation Framework LU-2.

***Invasive Plants***

The OMCPU Final PEIR finds that due to the large extent of future grading and development within the OMCPU, the OMCPU has the potential to introduce invasive species into the MHPA. If uncontrolled, invasive species could significantly impact the integrity of the MHPA in the CPU area.

The OMCPU Final PEIR requires all future projects to implement the MHPA Land Use Adjacency Guidelines and mitigation framework LU-2, which requires that the project's landscape plan would not contain any exotic plant/invasive species and would include an appropriate mix of native species which would be used adjacent to the MHPA.

***Wetland Impacts***

The OMCPU Final PEIR finds that impacts to wetlands, vernal pools, and other jurisdictional water resources would be considered significant.

The OMCPU Final PEIR implements mitigation framework BIO-4 to future development to reduce impacts to less than significant.

***Noise Generation***

The OMCPU Final PEIR finds that there is a potential for temporary noise impacts to wildlife from construction and permanent noise impacts from the introduction of noise-generating land uses adjacent to the MHPA. Temporary and/or permanent noise impacts to wildlife within the MHPA would be significant.

The OMCPU Final PEIR implements mitigation frameworks BIO-1 through BIO-4 and LU-2 to reduce impacts to less than significant.

*PROJECT*

***Sensitive Plants and Animals***

A Biological Letter Report was prepared by HELIX Environmental Planning, Inc. (HELIX 2015a) to address the potential impacts of the proposed development to biological resources and project compliance with the MSCP Subarea Plan, City Biology Guidelines, ESL Regulations, and the Otay Mesa Community Plan (Community Plan).

Mitigation framework addressing biological resources is identified in the OMCPU Final PEIR that applies to future development within the OMCPU area. Implementation of the mitigation framework is required for future development projects in areas where biological resources are present. As discussed in this section, biological resources are known to occur in the project area and therefore the project is subject to compliance with applicable mitigation identified in the OMCPU Final PEIR. The project would comply with OMCPU Final PEIR mitigation framework BIO-1, which requires all projects implemented in accordance with the Community Plan to conduct site-specific biological resources surveys pursuant to the City of San Diego Biology Guidelines (see below for survey information) and mitigate for project-specific impacts accordingly; and mitigation framework BIO-2, which requires projects to reduce potentially significant impacts that would interfere with the nesting, foraging, or movement of wildlife species within the OMCPU area (see below for sensitive animal species discussion).

Although designs for the future light industrial uses are unknown at this time, it is assumed that the entire site would be impacted by development as most of the site would be graded or otherwise improved in conjunction with the proposed project.

Biological surveys were conducted on the project site in 2007 (general biological survey), 2008 (protocol burrowing owl [BUOW] surveys), 2012 (general biological survey, including updated BUOW habitat assessment), 2014 (general biological survey, including updated BUOW habitat assessment), and two in 2015 (breeding season BUOW habitat assessment, focused burrow, and focused BUOW surveys). The purpose of the recent surveys conducted in 2014 and 2015 was to determine whether or not biological conditions or resources on the site have changed since the previous surveys. The previous surveys included a search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) online database for information regarding sensitive species known to occur within the project vicinity. Additional sources included information compiled as part of the MSCP, State Route 905 Biological Technical Report, San Diego Vernal Pools report and the adopted OMCPU and associated documents.

The 2015 surveys occurred on April 15, between 7:30 a.m. and 9:00 a.m., and July 15, between 5:55 a.m. and 9:00 a.m. These surveys were conducted in accordance with the habitat assessment and breeding season survey protocol described in CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012). The site had recently been disced at the time of the 2012 survey and was mostly bare ground. At the time of the 2014 survey, the ground was still furrowed from the discing in 2012, vegetation was still most abundant at the edges of the site, and the overall character of the site was still disturbed. Total vegetative cover had increased from near zero to approximately 10 percent, and consisted almost entirely of non-native forbs. Native island plantain had colonized in the western half of the site. The adjacent property to the east has been mowed and disced since 2012, and no longer supports extensive non-native grassland as it did then. Conditions were confirmed again during the July 15, 2015 survey.

The 16.66-acre site supports one vegetation type: disturbed land. If it is vegetated, it supports a variety of non-native ruderal species that depends on local colonization potential, but no recognizable species association is present. Vegetated disturbed land is distinguished from non-native grassland, which the City considers a sensitive upland habitat, by having less than 50 percent relative cover of non-native annual grasses. As described above, at the time of the present survey, ground on the site was furrowed from past discing, and vegetation was overwhelmingly dominated by non-native species such as Russian thistle (*Salsola tragus*), Australian saltbush (*Atriplex semibaccata*), cheeseweed (*Malva parviflora*), and garland daisy (*Glebionis coronaria*). Annual grasses such as oats (*Avena* sp.), red brome (*Bromus madritensis*), and common ripgut (*Bromus diandrus*) were present in small, sparse patches mostly near the margins of the site. These patches were not more than a few square feet in area, and too small to constitute grassland habitat. No sensitive plant species were observed on site during the recent surveys. Therefore, the potential for sensitive plant species to occur on site is considered low.

Specific areas of concern for properties in Otay Mesa include the potential for vernal pools, the federally listed endangered Quino checkerspot butterfly (*Euphydryas editha quino*; QCB), and BUOW. The project site does not support a known historic vernal pool complex. No vernal pool flora or areas with obvious signs of ponding were observed during the reconnaissance. No vernal pools are anticipated to occur on site given the disturbed nature of the site and lack of vernal pools during previous studies in 2007. No wetland or drainages (including ponding or wetland vegetation) were evident during the reconnaissance. The site slopes slightly to the southeast, and the soil at the few low spots observed appears to be too porous to pond. Additionally, on-site soils are friable and well-drained.

No QCB host plants or nectaring sources were observed. The potential for the federally listed endangered QCB to occur on site is considered very low given the disturbed nature of the soil and vegetation on the property.

The OMCPU area and the area in the vicinity of the project site are known to contain land used by the BUOW (*Athene cunicularia*), which are a MSCP Covered Species and a California Species of Special Concern. BUOW surveys are required to be conducted in areas within the City that have the potential to be occupied by BUOW to determine if this species is present and the location of active burrows per the City's Biology Guidelines. Occupied site and occupancy is defined in CDFW's 2012 Staff Report as a site that is assumed occupied if at least one BUOW has been observed occupying a burrow within the last three years (CDFW 2012). Occupancy of suitable BUOW habitat may also be

indicated by owl sign including its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site.

BUOW are generally restricted to grasslands, agricultural lands, and open disturbed areas with sparse vegetation, burrows, and perching sites. Suitable BUOW habitat can include debris piles in disturbed areas. This species uses California ground squirrel (*Spermophilus beecheyi*) burrows for nest sites. BUOW habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey. BUOW may also occupy fallow agricultural areas, disced fields and otherwise disturbed land where undisced edges (e.g., berms) supporting burrows have persisted. In addition, areas supporting BUOW may be determined by the presence of burrows, artificial burrows or burrow surrogates consisting of manmade culverts, stacks of pipes, piles of rocky debris, and small holes in rocky out-crops.

Biological surveys were conducted on the project site in 2007 (general biological survey), 2008 (protocol BUOW surveys), 2012 (general biological survey, including updated BUOW habitat assessment), 2014 (general biological survey, including updated BUOW habitat assessment), and in 2015 (breeding season BUOW habitat assessment, focused burrow, and focused BUOW surveys) in accordance with the City's Biological Guidelines and the CDFW's 2012 Staff Report. The results of these surveys have confirmed the absence of BUOW individuals, burrowing owl sign (pellets, feathers, tracks, shell fragments, nest burrow decorations. and identifiable white-wash), and suitable BUOW burrows on the project site.

A single BUOW was observed off the site in the survey area buffer north of Otay Mesa Road on the Brown Field Municipal Airport property during the July 15, 2015 survey. Although BUOW are known to occur within the Brown Field Municipal Airport site to the north, the project is separated by a six-lane roadway from the field. Previous surveys have reported that the regular loud noise and vibration from the jet aircraft at the airport have had little to no effect on BUOW; therefore, BUOW in the area likely have a high tolerance to noise and vibration and would not be adversely affected by noise generated from project construction.

Despite the owl's nearby occurrence, the potential for the species to occur on site is considered low based on confirmation during surveys over multiple years that BUOW habitat is absent from the site. There has been no evidence that BUOW has the potential to occupy the site and there are no resources on the site that would suggest BUOW would use the site for regularly foraging. Due to known BUOW locations in the project vicinity, the site could be used temporarily by BUOW during dispersal only. Therefore, the project would not result in the loss of BUOW foraging habitat. Impacts to potential dispersal habitat that is not occupied and does not provide foraging habitat would be less than significant.

However, if conditions change prior to project grading, BUOW could move onto the site and impacts to BUOW and their habitat would be potentially significant. In accordance with OMCPU Final PEIR mitigation frameworks BIO-1 and BIO-2, take avoidance surveys shall be conducted prior to grading and species- and habitat-based mitigation shall be implemented if burrowing owls are found to occupy the site during take avoidance surveys, as detailed in the Section VI-D, project specific MMRP. With implementation of the OMCPU Final PEIR mitigation frameworks, potential impacts to BUOW would be reduced to below a level of significance. In addition, due to the highly disturbed nature of the project site, absence of burrowing owls and sign during previous surveys, and its location

outside the MHPA, development of the project site would not have a significant cumulative impact on burrowing owl and mitigation for cumulative impacts would not be required.

No sensitive plant or animal species were observed or detected on the project site during the biological surveys, and the project site does not support potentially suitable habitat for listed or sensitive animal species. Additionally, no trees or other suitable nesting sites for raptors are located on site or within sight of the project site. No shrubs or other perennial woody vegetation are on site that could provide nesting habitat for other native birds.

***Migratory Wildlife***

The site is surrounded to the north and south by roadways and with industrial development to the west. To the east is a vacant parcel similar to the project site, and further east is more industrial development. The site would not be expected to be used by species such as BUOW as a wildlife corridor. BUOW have been observed at the Brown Field Municipal Airport site to the north; however, due to the six-lane roadway between the field and the project site and the absence of BUOW in previous surveys on the project site, they would not be expected to use the project site as a wildlife corridor. However, as described above, if conditions change prior to project grading, BUOW could move onto the site and impacts to BUOW would be potentially significant. With implementation of the mitigation measures outlined in Section VI-D, project specific MMRP for Burrowing Owls, associated impacts would be less than significant.

***Sensitive Habitat***

The project site supports one vegetation type, disturbed habitat, which is a Tier IV habitat and is not a sensitive vegetation community. Based on the City's MSCP Subarea Plan and Biology guidelines, impacts to disturbed habitat would not require mitigation. The project site does not contain riparian habitat or wetlands; therefore, no adverse effect would result. No impact would occur, therefore, mitigation is not required.

***MSCP***

The project site is not located within or adjacent to the MSCP's MHPA. The closest MHPA land is 0.42 mile to the south at La Media Road and Airway Road. No impacts to the MHPA would occur, and mitigation would not be required. Therefore, OMCPU Final PEIR Mitigation Framework LU-2 would not be applicable to the proposed project.

***Invasive Plants***

The project's landscaping would not contain any exotic plant/invasive species and no impacts would occur from invasive plants.

***Wetland Impacts***

The project site contains disturbed habitat. There are no federally protected wetlands on the project site; therefore, no impacts would occur. Therefore, OMCPU Final PEIR Mitigation Framework BIO-4 would not be applicable to the proposed project.

***Noise Generation***

As stated above, no trees or other suitable nesting sites for raptors are located on-site or within sight of the project site and the project is not located adjacent to the MHPA. No shrubs or other perennial woody vegetation are on the site that could provide nesting habitat for other native birds and the potential for nesting birds other than ground-nesting species is low. However, ground-nesting species, or species that can nest in dry annuals such as mustards or Russian thistle, may utilize the site for nesting. These birds may be impacted by construction noise. In accordance with OMCPU Final PEIR mitigation framework BIO-2, pre-construction nest surveys would be required to comply with general nesting bird protections provided in the federal Migratory Bird Treaty Act and the California Fish and Game Code if construction activities were scheduled during the general avian breeding season. With implementation of the project specific mitigation measures outlined in Section VI-C, I.E. MMRP for Biological Resources, associated impacts would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant biological resource impacts or a substantial increase in the severity of impacts to biological resources from that described in the OMCPU Final PEIR.

**HISTORICAL RESOURCES**

***OMCPU FINAL PEIR***

Cultural resources were analyzed in the OMCPU Final PEIR in Section 5.5. Historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and registration programs such as the California Register of Historical Resources or the City Historical Resources Register. Historical resources include buildings, structures, objects, archaeological sites, districts, landscapes possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used. Historical Resources also include traditional cultural properties.

The OMCPU Final PEIR found that due to the number and density of prehistoric and historic cultural resources in the OMCPU area, the loss of these resources would be considered a significant impact at the program level. The OMCPU Final PEIR identifies mitigation framework HIST-1 and HIST-2 to be implemented to reduce potentially significant impacts to a less than significant level. Mitigation framework HIST-1 would, prior to issuance of any permit for future development, require a project to determine the presence of archaeological resources and take appropriate mitigation for any significant resources. Mitigation framework HIST-2 would require the City determine the historical significance of a building or structure older than 45 years old.

Impacts to known religious or sacred resources and human remains, and those not yet found and formally recorded, could occur anywhere within the OMCPU area. Future grading of original in-situ soils could also expose buried historical archaeological resources and features including sacred sites. Potential impacts to historical resources associated with construction of future projects implemented in accordance with the OMCPU were determined to be considered significant. The

OMCPU Final PEIR identifies mitigation framework HIST-1 to be implemented to reduce potentially significant impacts to a less than significant level.

*PROJECT*

***Historical Resources***

The St. Andrews (Otay Mesa Center) Tentative Subdivision Map - Cultural Resources Study Update (HELIX 2015b) was prepared by HELIX Environmental Planning, Inc. to analyze the project's potential impacts to historical and cultural resources. Historic maps and aerial photographs were reviewed as part of the 2008 survey and showed no buildings or structures that would be considered an historical resource. A residential structure was built on the property between 1968 and 1971, but was removed from the property between 2005 and 2008. As no historical structures exist on the site, no impacts to historical resources would occur and implementation of OMCPU Final PEIR mitigation framework HIST-2 would not be required.

***Cultural Resources***

During the 2008 survey, the project site was found to be disturbed by past agricultural activity and trash dumping. One previously recorded archaeological site (CA-SDI-10734) is located within the project site, which consists of a sparse lithic scatter that is part of a larger recorded site (CA-SDI-7208). Portions of this larger site (CA-SDI-7208) have been tested for various projects and determined not significant under CEQA and not National Register eligible. While no testing was conducted for the proposed project, numerous past projects within the larger site have gathered sufficient information to fulfill the research potential for the resource, which meets the definition of a sparse lithic scatter and meets the criteria for programmatic treatment under the Otay Mesa Cultural Resource Management Plan.

Due to the fact that cultural, religious, and sacred resources have been encountered during monitoring at some sites on Otay Mesa and numerous artifacts have been encountered during monitoring at portions of CA-SDI-7208, these resources may be encountered during construction activities and impacts could be significant. Therefore, the project would implement OMCPU Final PEIR mitigation framework HIST-1. In accordance with HIST-1, the project would take appropriate measures to mitigate for any significant cultural, religious, or sacred resources that are encountered by including an archaeologist and a Native American monitor for initial grading and other ground-disturbing activity in the upper 1-2 feet of soil to check for features or artifact deposits, as detailed in the project-specific MMRP in Section VI of this Addendum. With implementation of these measures, potential impacts to cultural, religious, and sacred resources would be reduced to below a level of significance.

No cemeteries, formal or informal, have been identified on site or within the project vicinity. While it is not anticipated that human remains would be encountered on the project site during construction-related activities, it would be possible for remains to be encountered. Therefore, impacts to human remains are considered potentially significant. If human remains are encountered during the ground-disturbance activities, the project would comply with mitigation framework HIST-1 and take appropriate measures to mitigate for any human remains found, as detailed in the project-specific MMRP in Section VI-E of this Addendum. With implementation of these measures, potential impacts to human remains would be reduced to below a level of significance.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR regarding historical resources. The project would not result in any new significant historical or cultural resource impacts or a substantial increase in the severity of impacts to these resources from that described in the OMCPU Final PEIR.

**HUMAN HEALTH/PUBLIC SAFETY/HAZARDOUS MATERIALS**

*OMCPU FINAL PEIR*

Human health, public safety, and hazardous materials impacts were analyzed in Section 5.6 of the OMCPU Final PEIR.

***Health and Safety Hazards***

The OMCPU Final PEIR finds that wildfire hazards would be potentially significant as some OMCPU development would occur within the wildland interface areas that may expose people and structures to wildfire hazards. The OMCPU Final PEIR implements mitigation framework HAZ-1, which would require future projects to incorporate sustainable development and other measures into site plans in accordance with the City's Brush Management Regulations, and Landscape Standards pursuant to General Plan and OMCPU policies intended to reduce the risk of wildfires. In addition, all future projects would be reviewed for compliance with the 2010 California Fire Code, Section 145.0701 through 145.0711 of the LDC, and Chapter 7 of the California Building Code.

Regarding aircraft hazards, the OMCPU Final PEIR finds that future projects could conflict with the FAA requirements unless the City implements a mechanism to ensure that the project would not include features identified in Part 77 criteria for notification or that the project would obtain a No Hazard to Air Navigation from the FAA. Thus, potential aircraft hazards impacts would be potentially significant. The OMCPU Final PEIR implements mitigation framework HAZ-2 to mitigate impacts from aircraft hazards to less than significant through City notification that proposed projects must meet the Part 77 criteria.

Hazardous sites have been identified that could result in significant impacts to health and safety at future development within the OMCPU area. Please see the Hazardous Sites section below for additional information.

***Hazardous Substances***

The OMCPU Final PEIR determines that less than significant impacts would occur with implementation of the OMCPU from hazardous substances. This would occur through implementation of relevant policies contained in the General Plan, OMCPU, and regulations imposed by federal, state, and local agencies.

***Hazardous Sites***

The OMCPU Final PEIR determines that the presence of 23 sites compiled pursuant to Government Code Section 65962.5, along with any unknown hazardous sites, would have potentially significant

impacts on future development and land uses within the OMCPU area. The OMCPU Final PEIR implements mitigation framework HAZ-3, which would require a Phase I Environmental Site Assessment for sites located on a hazardous waste sites list.

*PROJECT*

***Health and Safety Hazards***

While no buildings would be constructed at this time, future light industrial uses at the site would be regulated by allowable uses within the IL-3-1 zone classification. Associated transport, use, or disposal of hazardous materials at the future buildings would also be regulated by applicable regulatory requirements. In addition, the project Water Quality Technical Report (WQTR) outlines BMPs to prevent and control the off-site discharge of contaminants, such as designing trash storage areas to reduce pollution contribution and using non-toxic roofing materials where feasible (Spear & Associates Inc. 2015a). The use of chemical pesticides and fertilizers required to maintain proposed landscaping would be minimal and any storage, use, and handling of such substances would comply with applicable regulatory standards. Compliance with regulatory requirements along with implementation of BMPs would not create a significant hazard to the public or environment due to the potential routine use of hazardous materials from the future light industrial uses and from the use of pesticides and fertilizers required to maintain proposed landscaping. Associated impacts would be less than significant.

Regarding aircraft hazards, proposed Lots 1 and 2 are located within Safety Zone 3 – Inner Turning Zone and Lots 3-6 are located within Safety Zone 6 – Traffic Pattern Zone in the Brown Field Municipal Airport Land Use Compatibility Plan (ALUCP). The ALUCP designates safety compatibility zones that may restrict certain land uses where safety policies and standards apply to protect the public from potential aircraft accidents. As indicated in Table III-2 of the ALUCP, the land use "Processing and Storage of Bulk Quantities of Highly Hazardous Materials (tank capacity >10,000 gallons); oil refiners, chemical plants" would be prohibited in Safety Zone 3 and conditionally allowed in Safety Zone 6. The land use "Storage or Use of Hazardous (flammable, explosive, corrosive, or toxic) Materials," "Manufacturing," and "Research & Development" would be conditionally acceptable at Safety Zone 3 and allowed at Safety Zone 6. Future light industrial development would be required to adhere to the ALUCP's safety compatibility criteria. In addition, the project is located in an FAA Part 77 Notification area; in compliance with mitigation framework HAZ-2, future development on site would need to comply with FAA height notification requirements. Therefore, associated impacts would be less than significant.

Regarding wildfire hazards, the project site is located in a developed area and is nearly surrounded by developed land. There are no large expanses of wildlands in the immediate vicinity. According to the City Fire-Rescue Department's Very High Fire Hazard Severity Zone Maps, the project site is located in a Very High Fire Hazard Severity Zone. However, no people or habitable structures would be constructed on site at this time. Once buildings are constructed, they would be required, as a matter of design and in compliance with mitigation framework HAZ-1, to meet applicable fire code and access requirements. In addition, adequate emergency access would be provided on site in case of fire. Therefore, impacts would be less than significant.

***Hazardous Substances***

As described above, handling of hazardous substances on site such as fertilizers and pesticides from landscaping would be handled according to regulatory requirements in addition to implementation of standard BMPs. Impacts from hazardous substances would be less than significant.

***Hazardous Sites***

The project site is not identified on a hazardous waste and/or substances site list, including the State Water Resources Control Board's (SWRCB's) GeoTracker. The nearest listed site is a tiered permit cleanup site at 2055 Dublin Drive, located approximately 1,500 feet from the project site across SR 905. At this distance, no associated hazards or hazardous waste impacts would occur at the project site and mitigation framework HAZ-3 would not be applicable to the project.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant hazards and hazardous materials impacts, nor is there a substantial increase in the severity of hazards and hazardous materials impacts from that described in the OMCPU Final PEIR.

**HYDROLOGY / WATER QUALITY**

*OMCPU FINAL PEIR*

The OMCPU Final PEIR analyzes potential impacts to Hydrology and Water Quality in Section 5.7. Regarding runoff, the PEIR finds that buildout in accordance with the OMCPU would result in an increase in impervious surfaces and associated increased runoff, and result in alterations to on- and off-site drainage. Therefore, implementation of the OMCPU would have the potential to result in significant direct and indirect impacts associated with runoff and alterations to on-and off-site drainage patterns.

Buildout in accordance with the OMCPU would have the potential to result in a substantial change to stream flow velocities and drainage patterns on downstream properties. Therefore, implementation of the OMCPU would have the potential to result in significant direct and indirect impacts to the natural drainage system.

The OMCPU Final PEIR determines that future development within the OMCPU area would potentially impact the existing course and flow of flood waters, resulting in potentially significant impacts.

The OMCPU Final PEIR also determines that future projects implemented in accordance with the OMCPU could result in impacts to water quality, including discharges to surface or groundwater. Although specific locations for future projects has not been identified in the OMCPU Final PEIR, the construction of such facilities and, to a lesser degree, the operation of these facilities, could impact water quality. Grading and exposed soil are expected to result in sedimentation.

To mitigate for the aforementioned impacts, mitigation framework HYD/WQ-1 would be implemented to apply to future development. Under this mitigation, future development implemented in accordance with the OMCPU would be subject to the requirements of the Storm Water Standards Manual, which includes design of new or improved system to meet local and state regulatory requirements satisfactory to the City Engineer. Strict adherence to the mitigation framework, which requires regulatory compliance as noted above, along with General Plan and OMCPU policy compliance for reducing storm water runoff, would ensure that potential impacts to downstream resources would be reduced to below a level of significance.

*PROJECT*

Regarding water quality, based on the City's Storm Water Requirements Applicability Checklist, the project was identified as a "Priority Development Project" and therefore preparation of a WQTR was required (Spear & Associates Inc. 2015a). The identified anticipated and potential pollutants of concern for priority development projects include sediment, nutrients, heavy metals, organic compounds, trash and debris, oxygen-demanding substances, oils and grease, bacteria and viruses, and pesticides. The project could have the potential to degrade water quality from discharging runoff to the Tijuana River, the Tijuana River Estuary, and eventually the Pacific Ocean. Therefore, the project would implement BMPs to avoid or minimize adverse water quality impacts from runoff. In addition, the project would comply with all storm water quality standards during and after construction.

As outlined in the WQTR, BMPs would include low-impact development (LID) design practices, source-control BMPs, and treatment control BMPs. Specifically, the project would include the following LID design practices (with some associated with future development in conjunction with building construction (which would be implemented at that time): optimizing the site layout; minimizing impervious footprint; minimizing soil compaction in areas of the project designated for storm water treatment; dispersing runoff to adjacent landscaping; designing and implementation of pervious surfaces; site stabilization with vegetated disturbed soils and slopes; and conveying runoff safely away from the tops of slopes. The project would include the following source control BMPs: using efficient irrigation systems and landscape design; designing trash storage areas to reduce pollution contribution; employ integrated pest management principals; providing storm water conveyance system stamping and signage; managing fire sprinkler system discharges; using non-toxic roofing materials where feasible; and managing air conditioning condensate. The treatment control BMPs would include six bio-retention basins (one located on each lot) that would provide surface and subsurface water filtration. A separate bio-retention basin is included on Lot 3 to address storm water treatment for the road extension of St. Andrews Avenue.

These requirements have been reviewed by qualified City staff and would be re-verified during the ministerial process and during the building permit process when building construction is proposed. Therefore, adherence with the standards would ensure that significant water quality impacts would not occur as a result of project construction and operations.

Regarding hydrology, according to the project's Hydrology & Hydraulic Study (Spear & Associates, Inc. 2015b), the project would not significantly alter the existing drainage patterns on site. The existing direction of runoff off the site would remain the same as the existing condition, which is conveyed to the existing Caltrans 24-inch pipe located in the southwest corner of the site. Buildout of the site (with light industrial buildings) would increase the amount of impervious area from the

existing zero percent to approximately 80 percent. However, each lot would have at least one bio-retention basin (which would be constructed as part of the currently proposed site improvements) and post-development peak flows, flow volumes and velocities for the 5-, 10-, 25-, 50-, and 100-year flood events would not exceed pre-development peak flows. Therefore, the project would not substantially alter the site drainage that would result in substantial erosion or siltation. In addition, storm water BMPs discussed above would further ensure that existing drainage is not substantially altered in a manner that would result in substantial erosion or siltation on or off site. Accordingly, impacts would be less than significant to drainage.

Based upon the results of the project's WQTR and Hydrology & Hydraulic Study, the project would comply with the measures identified in mitigation framework HYD/WQ-1, and no new significant impacts to drainage, hydrology or water quality have been identified. Therefore, there is no evidence that project requires a major change to the OMCPU Final PEIR.

**GEOLOGY/SOILS**

*OMCPU FINAL PEIR*

Impacts to geology and soils are analyzed in Section 5.8 of the OMCPU Final PEIR. Regarding geologic hazards, the OMCPU Final PEIR determines that the OMCPU area contains geologic conditions that would pose significant risks for future development if not properly addressed at the project-level. Unstable conditions relating to compressible soils, landslides, seismicity (faults), and expansive soils represent a potentially significant impact for future development. The OMCPU Final PEIR identifies mitigation framework Geo-1 to be implemented to reduce the significant risks, including through adherence to the City's Seismic Safety Study, the project's geotechnical report, and engineering design that meets or exceeds standards in the City's Municipal Code and the California Building Code.

Regarding erosion, based on the steep nature of many of the hillsides and the generally poorly consolidated nature of the sedimentary materials and soils found throughout the OMCPU area, erosion would represent a potentially significant impact, particularly in conjunction with some portions of the San Diego Formation and in drainages and stream valleys. The OMCPU Final PEIR identifies mitigation framework GEO-2 to be implemented to reduce potential erosion impacts, which would include project adherence to the City's Grading Regulation, California Building Code, and NPDES permit requirements.

*PROJECT*

***Fault Rupture and Seismic Shaking***

Construction Testing & Engineering, Inc. (CTE) performed a site-specific geologic reconnaissance report (CTE 2014). The study concluded that the site is classified by the City Seismic Safety Study as Geologic Hazard Category 53, a low to moderate relative geologic risk area. There are no known active earthquake faults that underlie the project site, and the site is not located within an Alquist-Priolo earthquake fault zone. According to the more focused Geologic Hazards and Faults Map in the City's Seismic Safety Study (Grid Tile 7), there are no faults located beneath the project site. The nearest major fault zone is associated with the La Nación Fault Zone, which is located approximately four miles west of the site. According to the noted Geologic Hazards and Faults Map, the project site

is located on "Other Terrain." The project site is located in a seismically active area, as is much of southern California, and is potentially subject to moderate to high levels of ground shaking in the event of an earthquake along an active nearby major fault. To address the potential hazards from ground shaking, the project would implement mitigation framework GEO-1. This would include compliance with seismic requirements of the California Building Code and the recommendations in the project's geologic reconnaissance report. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards, including fault rupture and seismic shaking, would be less than significant.

***Liquefaction***

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion and behave as a liquid. The geologic reconnaissance report determined that the site is underlain by shallow, dense alluvial deposits, and would therefore have a negligible potential for liquefaction or seismic settlement.

***Landslides***

According to the geologic reconnaissance report, the site lies in an urbanized area considered "marginally susceptible" to landsliding. Evidence of landslides was not detected during the field observations and have not been mapped at or near the site, based on referenced documents. Therefore, landsliding is not considered a significant geologic hazard within or adjacent to the site.

***Expansive Soils***

According to the geologic reconnaissance report, moderately to highly expansive soils are prevalent in the site vicinity and could be encountered. To address the potential hazards from expansive soils, the project would implement mitigation framework GEO-1. This would include compliance with the California Building Code and the recommendations in the project's geologic reconnaissance report. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from expansive soil would be less than significant.

***Erosion***

Project construction would temporarily disturb on-site soils during grading activities, thereby increasing the potential for soil erosion to occur. The project would implement mitigation framework GEO-2 to reduce potential erosion impacts to a less than significant level. This would include adherence to the City's Grading Regulation, the California Building Code, and NPDES permit requirements.

No significant long-term erosion impacts are anticipated, because ultimately, the areas proposed for development or disturbance would be covered by structures, pavement, and landscaping. While no buildings would be constructed at this time and therefore, the lots would remain vacant until such a time when buildings are proposed, the project would construct drainage facilities to accommodate on-site flows, including bio-retention areas and storm drain pipelines. Runoff would be directed to

these proposed facilities to control erosion and sedimentation. Therefore, impacts related to soil erosion or the loss of topsoil would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant geology/soils impacts or a substantial increase in the severity of impacts to geology/soils from that described in the OMCPU Final PEIR.

**ENERGY CONSERVATION**

*OMCPU FINAL PEIR*

Potential impacts regarding energy conservation are analyzed in Section 5.9 of the OMCPU Final PEIR. The PEIR finds that the OMCPU would not result in the use of excessive amounts of fuel or other forms of energy during the construction of future projects under the CPU, and construction impacts would be less than significant.

Implementation of the OMCPU would not be anticipated to result in a need for new electrical systems or require substantial alteration of existing utilities, which would create physical impacts. Based on the program-level analysis of the OMCPU, state and local mandates for energy conservation, and the energy reduction measures set forth in the OMCPU policies, impacts associated with energy use would be less than significant.

*PROJECT*

As noted in the OMCPU Final PEIR, the proposed project along with other OMCPU projects would not result in the use of excessive amounts of fuel or other forms of energy during construction or operation. The project would tie into existing electrical infrastructure and would not require the construction of new facilities or the substantial alteration of existing facilities. In addition, as described under the Greenhouse Gas Emissions section, electricity use emissions and natural gas use emissions would be reduced through the project implementation of the 2013 Title 24 building energy efficiency standards. Therefore, project impacts associated with energy use would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant energy conservation impacts, nor is there a substantial increase in the severity of energy conservation impacts from that described in the OMCPU Final PEIR.

## NOISE

*OMCPU FINAL PEIR*

Potential impacts from noise are analyzed in Section 5.10 of the OMCPU Final PEIR. Noise impacts were analyzed for traffic, construction, stationary, exterior, and interior noise.

For exterior and interior noise, traffic noise impacts are determined to be significant to potential new residences located off major roadways. The OMCPU Final PEIR identifies mitigation frameworks NOI-1 to reduce exterior noise impacts at new residences through a site-specific exterior noise analysis and NOI-2 to reduce interior noise impacts to noise sensitive land uses through implementation of a site-specific interior noise analysis. Because the extent of the success of this mitigation framework cannot be accurately predicted for at this time, impacts would be significant and unavoidable at the program-level.

For stationary source noise, the juxtaposition of siting noise-sensitive uses (i.e., residential) adjacent to noise-generating commercial and industrial uses are determined to be a potentially significant impact. The OMCPU Final PEIR identifies mitigation framework NOI-3 to analyze and mitigate for potentially significant noise generated on-site through implementation of a site-specific acoustical report. Because the extent of the success of this mitigation framework cannot be accurately predicted for at this time, impacts would be significant and unavoidable at the program-level.

For construction noise, future development associated with implementing the OMCPU has the potential to exceed applicable construction thresholds. The OMCPU Final PEIR identifies mitigation framework NOI- 4 to reduce impacts from construction activities, which would include compliance with standards established by the City Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. The OMCPU Final PEIR identifies the impacts to be significant and unavoidable at the program-level.

The MHPA Land Use Adjacency Guidelines in the MSCP Subarea Plan address noise impacts adjacent to designated MHPA areas and are specifically detailed in mitigation framework LU-2. Mitigation Framework LU-2 would not be applicable to the project.

*PROJECT*

***Exterior Noise***

The exterior noise compatibility standard listed in Table NE-3 of the General Plan for industrial land uses is 75 CNEL. As shown on Exhibit III-1, Compatibility Policy Map: Noise, of the Brown Field Municipal Airport ALUCP, the project site is located within the 60-65 CNEL noise contour for the airport. A measurement (Location 8) was taken adjacent to the north of SR 905 in Table 5.10-4 of the OMCPU Final PEIR that showed noise levels of 72 dBA at 50 feet and 66 dBA at 200 feet from the SR 905 centerline. The southern edge of the project is approximately 100 feet from the SR 905 centerline. Therefore, the project would not be expected to be exposed to exterior noise levels in excess of the noise compatibility standard of 75 CNEL and exterior noise levels would be less than significant. Therefore, mitigation framework NOI-1 would not apply to the proposed project.

***Interior Noise***

Interior noise standards do not apply to industrial projects. Therefore, mitigation framework NOI-2 would not apply to the proposed project.

***Stationary Source Noise***

Operation of future light industrial development on site would not be expected to generate noise levels in excess of City's Noise Ordinance standards. With the adjacent land uses of industrial and commercial, and the SR 905 in between the project site and Southwestern College, the project's potential uses would not generate noise levels that would exceed applicable adopted City noise standards. Therefore, mitigation framework NOI-3 would not apply to the proposed project.

***Construction Noise***

The project is mostly surrounded by industrial and commercial development. The nearest noise-sensitive receptor to the project site is Southwestern College, located approximately 500 feet to the south across SR 905. However, the project site and the college are separated by SR 905, which, due to heavy traffic at high speeds, is a substantial noise generator. In addition, construction-related noise would occur but it would be short-term and temporary in nature. Construction activities would comply with the construction noise limits and hours specified established by the City Municipal Code in Chapter 5, Article 9.5, Noise Abatement and Control. Therefore, project construction noise levels would be less than significant and mitigation framework NOI-4 would not apply to the proposed project.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that project requires a major change to the OMCPU Final PEIR. The project would not result in any new significant noise impacts, nor is there a substantial increase in the severity of noise impacts from that described in the OMCPU Final PEIR.

**PALEONTOLOGICAL RESOURCES**

*OMCPU FINAL PEIR*

Paleontological resources are analyzed in Section 5.11 of the OMCPU Final PEIR. The OMCPU Final PEIR finds that implementation of the OMCPU has the potential to result in significant impacts to paleontological resources. Specifically, future projects implemented in accordance with the OMCPU that would involve substantial grading within the San Diego and Otay formations and Very Old Paralic Deposits that would result in the loss of significant fossil remains. The OMCPU Final PEIR identifies mitigation framework PALEO-1 to be implemented to reduce impacts to less than significant. The OMCPU Final PEIR notes that for future projects that are consistent with the OMCPU, base zone regulations and the supplemental regulations for CPIOZ Type A and can demonstrate that no paleontological fossil resources are present; the project can be processed ministerially and would not be subject to further environmental review under CEQA.

*PROJECT*

Based on Figure 5.11-1 of the OMCPU Final PEIR, the project site is underlain by Quaternary Very Old Paralic Deposits, which has a moderate paleontological sensitivity. The project's geologic reconnaissance report identifies the site as being underlain by Quaternary Very Old Alluvial Deposits and undocumented fill. Alluvial deposits from this time period have a low to moderate paleontological resource sensitivity (Demeré and Walsh 1996). Based on this information, the potential for significant impacts to paleontological resources could occur. In accordance with OMCPU Final PEIR mitigation framework PALEO-1, a project-level analysis of potential impacts on paleontological resources was conducted to determine if construction of the project meets the following criteria for paleontological monitoring, given that the site is underlain by geologic deposits of moderate paleontological sensitivity:

- Require over 2,000 cy of excavation and/or a 10-foot, or greater, depth in a moderate resource potential geologic deposit/formation/rock unit.

- Require construction within a known fossil location or fossil recovery site. Resource potential within a formation is based on the Paleontological Monitoring Determination Matrix.

The project is not located within a known fossil location or fossil recovery site. The project would excavate up to 10 feet for sewer trenching and would excavate over 50,000 cy of soil. Therefore, monitoring as outlined in OMCPU Final PEIR mitigation framework PALEO-1 would be implemented:

- Monitoring is always required when grading on a fossil recovery site or a known fossil location.

- Monitoring may also be needed at shallower depths if fossil resources are present or likely to be present after review of source materials or consultation with an expert in fossil resources (e.g., the San Diego Natural History Museum).

- Monitoring may be required for shallow grading (<10 feet) when a site has previously been graded and/or unweathered geologic deposits/formations/rock units are present at the surface.

- Monitoring is not required when grading documented artificial fill. When it has been determined that a future project has the potential to impact a geologic formation with a high or moderate fossil sensitivity rating a Paleontological MMRP shall be implemented during construction grading activities.

Paleontological monitoring would be required to mitigate the impact to below a level of significance consistent with the mitigation set forth in OMCPU Final PEIR mitigation framework PALEO-1. Therefore, with implementation of the project-specific MMRP, as detailed in Section VI-F of the Addendum, potential paleontological resources impacts would be reduced to below a level of significance.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project requires a major change to the OMCPU Final PEIR. The project would not result in any new significant paleontological resources impacts, nor is there a substantial increase in the severity of paleontological resources impacts from that described in the OMCPU Final PEIR.

**TRAFFIC/CIRCULATION**

*OMCPU FINAL PEIR*

The OMCPU Final PEIR analyzes traffic impacts for the OMCPU in Section 5.12. For roadway segments, the PEIR finds that a total of 24 roadway segments, 49 intersections, five SR 905 freeway segments, and five SR-905 freeways ramps under the Horizon Year Plus OMCPU condition would be expected to operate at unacceptable Level of Service (LOS). Therefore, the OMCPU would have a significant impact at all of these 24 roadway segment locations. The OMCPU Final PEIR includes potential improvement measures for the roadways, freeways, and intersections. However, because many of these cannot be implemented due to various factors, the OMCPU Final PEIR finds that impacts would be significant and unmitigable. The OMCPU Final PEIR also determines that at the project-level, partial mitigation may be possible in the form of transportation demand management measures that encourage carpooling and other alternate means of transportation. At the time future subsequent development projects are proposed, project-specific traffic analyses would contain detailed recommendations. All project-specific mitigation for direct impacts shall be implemented prior to the issuance of Certificate of Occupancy in order to provide mitigation at the time of impact.

The OMCPU Final PEIR finds impacts to safety hazards, circulation and access, and alternative transportation to be less than significant.

*PROJECT*

***Capacity***

The proposed project would increase the amount of vehicular traffic in the project vicinity. A Trip Generation Analysis was prepared for the project (LOS Engineering, Inc. 2014) and determined that buildout of the six lots as warehouses or manufacturing/assembly uses would generate a total of 984 ADT. Because the project is located in the CPIOZ, a traffic study is required only if the project is calculated to generate more than 1,000 ADT. As the project ADT is less than 1,000, the traffic has been accounted for in the Otay Mesa Community Plan Update. A traffic study was not required. The project would not conflict with an applicable plan, ordinance, or policy establishing measures of effective for the performance of the circulation system and therefore traffic impacts at a project level would be less than significant.

***Traffic Hazards and Circulation and Access***

Ingress and egress from the project lots would be provided via curb cutouts on Ailsa Court and St. Andrews Avenue. Adequate sight visibility for vehicles would be ensured with future building construction on each lot in accordance with applicable City regulations. The proposed intersection at

Ailsa Court and St. Andrews Avenue would provide stop signs at each stop and a marked pedestrian crossing. Impacts would be less than significant.

***Alternative Transportation***

The project would be located approximately 1,000 feet from a bus stop on San Diego MTS Bus Route 905. The project would not alter the existing conditions of the site or adjacent facilities with regard to alternative transportation. The project would not result in design measures or circulation features that would conflict with existing policies, plans, or programs supporting alternative transportation. Therefore, no associated impacts would occur.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project requires a major change to the OMCPU Final PEIR. The project would not result in any new significant traffic impacts, nor would there be a substantial increase in the severity of traffic impacts from those described in the OMCPU Final PEIR.

**PUBLIC SERVICES**

*OMCPU FINAL PEIR*

Impacts to public services (fire protection, police protection, schools, parks and libraries) are analyzed in Section 5.13 of the OMCPU Final PEIR. For police and fire protection, parks and libraries, impacts from growth would be less than significant through implementation of relevant General Plan policies. For schools, impacts from growth would be less than significant through collection of statutory fees and General Plan policies.

*PROJECT*

***Fire Protection***

The project site is located in a developed area where fire protection services are already provided. The closest fire station is located less than one mile to the northeast on La Media Road. The project would not adversely affect existing levels of fire protection services to the area and would not require the construction of new or expanded fire protection facilities. Therefore, the project would not result in an impact to fire protection services.

***Police***

The project site is located in a developed area where police protection services are already provided. The project would not adversely affect existing levels of police protection services to the area and would not require the construction of new or expanded police protection facilities. Therefore, the project would not result in an impact to police services.

***Schools***

Nearby schools have planned, within the community plan designation and the zoning, for the density and growth anticipated from attracting residents from potential jobs provided by the future

light industrial development on the project site. The project would be consistent with the community plan designation and zoning. Therefore, no impacts to schools would occur.

***Parks***

The project would not increase the demand for park space and would not require the construction of new or expansion of existing park facilities. Therefore, there would be no associated project impacts to parks.

***Libraries***

The subdivision of two parcels into six lots and future light industrial development would not result in impacts to other public facilities such as libraries within the City, and would not result in the construction of new public facilities or expansion of existing public facilities.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant public facilities impacts, nor is there a substantial increase in the severity of public facilities impacts from that described in the OMCPU Final PEIR.

**UTILITIES**

*OMCPU FINAL PEIR*

Impacts to utilities (water, sewer, and reclaimed water; solid waste; storm water infrastructure; and communications systems) were analyzed in Section 5.14 of the OMCPU Final PEIR.

***Water, Sewer, and Reclaimed Water***

Improvements to water and recycled water systems have been previously identified in master planning documents detailed above, and would be required whether or not the OMCPU were to be implemented. Therefore, impacts associated with water and reclaimed water system improvements would be less than significant at the program-level.

***Solid Waste***

The CPU would not result in the direct need for a new landfill. Compliance with the Storage, Recycling, and C&D ordinances and the requirement to prepare a Waste Management Plan (WMP) (in some instances) would contribute to the CPU meeting the state-mandated 75 percent diversion rate. However, because all future projects within the CPU area may not be required to prepare a WMP or may not reduce project-level waste management impacts to below a level of significance, the CPU cannot be guaranteed, at the program-level, to meet the 75 percent diversion requirement. Direct impacts associated with solid waste would be significant at the program-level. The OMCPU Final PEIR implements mitigation framework UTIL-1, which requires projects that generate 60 tons or more of solid waste to prepare a Waste Management Plan, to reduce impacts to less than significant.

***Storm Water Infrastructure***

New storm water infrastructure systems would be required in previously undeveloped areas of the OMCPU, or improvements to existing storm water infrastructure systems would be required which could potentially result in physical impacts to the environment. At the project-level, adherence to existing storm water regulations, conformance with General Plan and OMCPU policies, and review under CEQA would assure that impacts associated with the requirements for and/or construction of storm water infrastructure would be less than significant at the program-level.

***Communications Systems***

The OMCPU would not require new communication systems to be built; however, there would be the need to extend the existing systems to individual project sites. No significant impact is anticipated as a result of undergrounding these utility lines.

*PROJECT*

***Water, Sewer, and Reclaimed Water***

Regarding water services, adequate services are available to serve the site; therefore, the project would not result in the requirement of the construction or expansion of new water or wastewater treatment facilities. Regarding sewer impacts, a Sewer Study (Spear & Associates, Inc. 2015c) was conducted for the proposed project and concluded that the proposed project sewer design is consistent with requirements set by the City Sewer Design Guide and the proposed and existing sewer lines have enough capacity to accommodate the development. In addition, treatment of wastewater generated by the project is anticipated to be routine for light industrial uses and would not be expected to exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). No impacts would occur.

***Solid Waste***

A maximum build-out scenario of the six lots on the project site would construct 205,500 square feet of development; therefore, it has the potential to result in significant cumulative impacts to the City's solid waste facilities. A WMP has been prepared for the project (REC Consultants 2015) to identify measures that would be incorporated into the various phases of the proposed project to maximize diversion of solid waste from landfills and minimize strain on solid waste services in the City.

The WMP identified two scenarios for the project: Scenario 1, a Tentative Map buildout (subdivision of the lots and associated improvements such as street extension, bio-retention areas, etc.); and Scenario 2, a worst-case buildout scenario of the aforementioned 205,500 square feet of building space.

The City has a waste reduction goal of 75 percent. The WMP outlined verification measures to be implemented to ensure the requirements of the WMP are met. These measures include reusing excess dirt from construction on site, education of each employee with disposal locations of methods to recapture concrete and dirt on site, provision to tenants of education materials identifying ways to maximize recycling, and occupancy compliance with the City's Recycling Ordinance and Refuse and Recyclable Materials Storage Regulations.

None of the components constructed under Scenario 1 would be expected to generate solid waste. Of the 308 tons of waste generated under Scenario 2, a total of 248 tons (80 percent) would be diverted from landfills with implementation of the verification measures. This would exceed the City's waste reduction goal of 75 percent.

During operation under Scenario 2, the WMP estimated that 308 tons per year of solid waste would be generated. Approximately 231 tons (75 percent) of the solid waste would be diverted from landfills with implementation of the verification measures, which would meet the City's waste reduction goal of 75 percent. With incorporation of the verification measures listed in the project-specific WMP, the project would be consistent with the City's waste reduction goal. Therefore, impacts related to solid waste disposal would be less than significant.

***Storm Water Infrastructure***

The project's Hydrology & Hydraulic Report (Spear & Associates, Inc. 2015b) indicates that development of the project would not increase runoff rates from the existing site by installing additional drainage facilities through bio-retention basins and piping to convey the basins runoff to the existing drainage pipe in the southwestern corner. These new facilities would not create significant environmental effects. In addition, existing off-site drainage facilities are expected to be sufficient to convey post-development flows. Therefore, associated impacts would be less than significant.

***Communications Systems***

Communication systems such as cable and telephone services would be extended to the site. Short-term construction impacts from installation of new communication systems or undergrounding for the project would not result in significant impacts because communication lines would be within existing or planned roadway right-of-way.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant utilities impacts, nor is there a substantial increase in the severity of utilities impacts from that described in the OMCPU Final PEIR.

**WATER SUPPLY**

*OMCPU FINAL PEIR*

The OMCPU Final PEIR discusses water supply in Section 5.15. Based on the findings of the OMCPU Final PEIR's Water Supply Assessment (WSA), there is sufficient water supply to serve existing demands, projected demands of the OMCPU, and future water demands within the City Public Utilities Department's service area in normal and dry year forecasts during a 20-year projection. In addition, there is sufficient water supply to serve existing demands, projected demands of the OMCPU, and future water demands within the Otay Water District's service area for a 20-year planning horizon in normal, single and multiple dry year forecasts. Therefore, impacts to water supply from implementation of the OMCPU would be less than significant.

Regarding landscape plans, the OMCPU Final PEIR determines that all future development must conform to existing regulations, as well as the General Plan and CPU policies, which would ensure the use of predominantly drought-resistant landscaping and water conservation for landscape maintenance. With this conformance, impacts would be less than significant.

*PROJECT*

The proposed project would create a need for additional water supplies over existing conditions on the vacant project site. However, the project is not of a scale that would result in a substantial increase in demand for water supplies or services. Review by City staff did not indicate impacts to City services and adequate services are available to serve the site. In addition, the project would include predominantly drought-resistant landscaping and utilize water conservation practices during landscape maintenance. Therefore, impacts would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant water supply impacts, nor is there a substantial increase in the severity of water supply impacts from that described in the OMCPU Final PEIR.

**POPULATION AND HOUSING**

*OMCPU FINAL PEIR*

The OMCPU Final PEIR discusses population and housing in Section 5.16. The PEIR determines that implementation of the OMCPU would result in less than significant impacts to population growth and affordable housing through continued development of housing within the OMCPU area.

*PROJECT*

The future construction of light industrial development is permitted per the land use designation of the Otay Mesa Community Plan and the underlying zone. As such, the development and ancillary growth due to additional jobs is anticipated by the adopted community plan and zoning. In addition, the project would not displace existing housing because no housing currently exists on the project site. No impacts would occur.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The project would not result in any new significant population and housing impacts, nor is there a substantial increase in the severity of population and housing impacts from that described in the OMCPU Final PEIR.

**AGRICULTURAL AND MINERAL RESOURCES**

*OMCPU FINAL PEIR*

The OMCPU Final PEIR discusses agricultural and mineral resources in Section 5.17.

***Agricultural Resources***

The OMCPU Final PEIR determines that less than significant impacts would occur to agricultural resources. Specifically, although the OMCPU would convert some farmland to non-agricultural areas, these areas are fragmented and are surrounded by urban land uses and MHPA lands. In addition, viability of the area for agricultural use is limited and the amount of existing farmland is minimal relative to the regional total.

***Mineral Resources***

The OMCPU Final PEIR determines that less than significant impacts would occur to mineral resources as no mining activities are currently present in the OMCPU area and development of the OMCPU would not have any indirect impacts to extraction operations in the vicinity.

*PROJECT*

***Agricultural Resources***

The project site is classified as "Farmland of Local Importance" by the Farmland Mapping and Monitoring Program. Historic aerials photos show the site being used for agriculture from as early as 1968 to as late as 1989 (NETR Online 2015). The OMCPU designates the project site as Heavy Commercial, and the surrounding area is not used for agriculture. As the project site is not in agricultural production and the site is not designated in adopted land use plans or zoned for agriculture, the project would not convert farmland to non-agricultural uses and impacts would be less than significant.

***Mineral Resources***

The project site is not currently being utilized for mineral extraction and does not contain any known mineral resources. The project area has not been delineated on a local general plan, specific plan, or other land use plan as a locally important mineral resource recovery site, and no such resources would be affected with project implementation. Therefore, no associated impacts would occur.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the OMCPU Final PEIR. The Project would not result in any new significant agricultural and mineral resources impacts, nor is there a substantial increase in the severity of agricultural and mineral resources impacts from that described in the OMCPU Final PEIR.

**GREENHOUSE GASES**

*OMCPU FINAL PEIR*

***Consistency with Adopted Plans, Policies, and Regulations***

The OMCPU Final PEIR discusses GHG in Section 5.18. The OMCPU contains policies that would reduce GHG emissions from transportation and operational building uses (related to water and energy consumption, and solid waste generation, etc.) and would be consistent with the strategies

of local and state plans, policies, and regulations aimed at reducing GHG emissions from land use and development. Subsequent projects implemented in accordance with the OMCPU would be required to implement GHG-reducing features beyond those mandated under existing codes and regulations. However, because project-level details are not known, there is the potential that projects would not meet the necessary City reduction goals put in place in order to achieve the reductions required by AB 32. Thus, the level of potential impacts associated with plan conflict would be potentially significant. The OMCPU Final PEIR implements mitigation framework GHG-1 to future development. This mitigation framework requires projects to demonstrate their avoidance of significant impacts related to long-term GHG emissions through being consistent with relevant General Plan policies and meeting GHG emission reductions of 28.3 percent. However, because the extent of the success of this mitigation framework cannot be accurately predicted for future projects, the OMCPU determines impacts to be significant and unavoidable at the program-level.

***GHG Emissions***

The 9.1 to 11.4 percent reductions estimated in the OMCPU Final PEIR relative to business as usual conditions fall short of meeting the City's goal of a minimum 28.3 percent reduction target. This impact associated with GHG emissions under the OMCPU are considered significant and unavoidable. The OMCPU Final PEIR implements mitigation framework GHG-1 that requires future projects to implement GHG reductions and mitigation framework GHG-2 to demonstrate that future development meets the City's reduction target. However. because the extent of the success of this mitigation framework cannot be accurately predicted for future projects, the OMCPU determines impacts to be significant and unavoidable at the program-level.

*PROJECT*

***Consistency with Adopted Plans, Policies, and Regulations***

The City has taken steps to address climate change at the local level. The following is a summary of the project's implementation of OMCPU Final PEIR mitigation framework GHG-1 to be consistent with applicable City plans, policies, and regulations that pertain to GHG emissions and efforts to reduce such emissions. The General Plan's Conservation Element reflects key goals contained in many other City and regional plans and programs and will help guide their future updates. The Conservation Element ties various natural resource-based plans and programs together using a village strategy of growth and development. It contains policies for sustainable development, preservation of open space and wildlife, management of resources, and other initiatives to protect the public health, safety, and welfare.

Policy CE-A.5 promotes the incorporation of sustainable or green building techniques, including energy efficient mechanical and electrical systems and lighting. Consistent with this policy, it is anticipated that future buildings constructed on the site would employ sustainable building development practices to maximize energy efficiency that would meet or exceed 2013 Title 24 standards. Policy CE-A.7 is to construct and operate buildings that ensure a healthful indoor air quality. It is anticipated that future buildings constructed on site would be constructed in a manner that would ensure healthful indoor air quality through meeting 2013 Title 24 standards and through the use of construction products that meet State requirements for low-VOCs. Policy CE-A.8 is to reduce construction and demolition waste. The project would reduce construction and demolition waste to the extent feasible. Policy CE-A.9 calls to reuse building materials or use materials with

recycled content or that are derived from sustainable sources. The project would use recycled/sustainable materials for construction and during operation to the extent feasible and would recycle construction and demolition debris as appropriate. Policy CE-A.10 calls to include features in buildings to facilitate recycling and consistent with this policy, it is anticipated that future buildings constructed on site would provide space for individual building occupants to implement recycling practices within their buildings. Policy CE-A.11 is to implement sustainable landscape design and maintenance. The project would be consistent with this policy by using landscaping that minimizes water use, utilizes efficient irrigation practices, and reduces the use of pesticides.

The City's General Plan PEIR MMRP specifically discuss the mitigation of climate change. On December 15, 2015, the City of San Diego formally adopted the 2015 CAP. The CAP identifies measures to reduce the City's carbon footprint per Policy CE-A.2 and updates the City's Climate Protection Action Plan per Policy CE-A.13. As such, the CAP mitigates the cumulatively significant global warming impacts of the General Plan and provides a framework for mitigation of future projects. The CAP has identified five strategies to reduce GHG emissions to achieve the 2020 and 2035 targets set by AB 32. Each strategy has several proposed implementation goals and actions to ensure emissions reductions. Most of these actions are to be implemented at the municipal level by various City departments. The project would be in compliance with the CAP strategies that are able to be addressed at the project level through compliance with General Plan Policies identified above. For example, as discussed previously, it is anticipated that future buildings constructed on the site would employ sustainable building development practices to maximize energy efficiency that would meet or exceed 2013 Title 24 standards and the project would incorporate landscaping that minimizes water use, utilizes efficient irrigation practices, and reduces the use of pesticides. These design elements are consistent with CAP Strategy 1, Energy and Water Efficient Buildings.

Given the project's implementation of OMCPU Final PEIR mitigation framework GHG-1 and GHG-2, subsequent consistency with applicable plans, policies, and regulations, no associated significant impacts would occur.

***GHG Emissions***

GHGs typically evaluated in studies include carbon dioxide ($CO_2$), methane ($CH_4$), and nitrous oxide ($N_2O$). To simplify GHG calculations, both $CH_4$ and $N_2O$ are converted to equivalent amounts of $CO_2$, which are then referred to collectively as $CO_2e$ (carbon dioxide equivalent). A Global Climate Change Evaluation was prepared for the project (Scientific Resources Associated 2015).

The Global Climate Change Evaluation assumed project buildout of warehouse/industrial uses for modeling. Construction GHG emissions include emissions from heavy construction equipment, truck traffic, and worker trips. The Global Climate Change Evaluation calculated a construction total of 1,052 metric tons (MT) $CO_2e$ for the proposed project. Construction emissions are amortized over a 30-year period to account for the contribution of construction emissions over the lifetime of the project. The amortized construction emissions would be 35 MT $CO_2e$. Project operation emission levels are based on vehicle emissions, electricity use, natural gas use, water use, and solid waste management associated with a project. The results of the operational emissions combined with the amortized construction emissions are presented in Table 2.

| Table 2<br>PROJECT GHG EMISSIONS - BAU | |
|---|---|
| **Emission Source** | **Annual Emissions (MT/year $CO_2e$)** |
| Vehicle Emissions | 1,398 |
| Electricity Use | 1,049 |
| Natural Gas Use | 117 |
| Water Use | 710 |
| Solid Waste Management | 362 |
| Amortized Construction Emissions | 35 |
| **TOTAL** | **3,671** |

Source: Scientific Resources Associated 2015
BAU: Business-as-Usual

In compliance with PEIR mitigation framework GHG-1 and GHG-2, GHG emissions from the project were calculated with the inclusion of GHG-reducing measures. Vehicle emissions would be reduced though implementation of federal CAFE standards, the Low Carbon Fuel Standard (LCFS), and Pavley fuel efficiency standards. Electricity use emissions would be reduced through reductions attributable to the State's Renewable Portfolio Standards (RPS). In addition, electricity use emissions and natural gas use emissions would be reduced through the project meeting 2013 Title 24 building energy efficiency standards. Water use emissions would be reduced through the project's utilization of low-flow fixtures and the RPS. Solid waste management emissions would be reduced through the City's solid waste ordinance that requires projects to meet a 50 percent solid waste diversion goal. The results of the operational emissions with GHG reduction measures combined with the amortized construction emissions are presented in Table 3.

| Table 3<br>PROJECT GHG EMISSIONS – GHG REDUCTION MEASURES | |
|---|---|
| **Emission Source** | **Annual Emissions (MT/year $CO_2e$)** |
| Vehicle Emissions | 1,069 |
| Electricity Use | 619 |
| Natural Gas Use | 92 |
| Water Use | 518 |
| Solid Waste Management | 181 |
| Amortized Construction Emissions | 35 |
| **TOTAL** | **2,514** |
| **BAU Emissions** | **3,671** |
| **Percent Reduction from BAU** | **31.52%** |

Source: Scientific Resources Associated 2015
BAU: Business-as-Usual

As shown in Table 3, the project GHG emissions with GHG reduction measures would reduce emissions from the BAU scenario by 31.52 percent. This would exceed the OMCPU Final PEIR mitigation framework GHG-1 and GHG-2 reduction threshold of 28.3 percent, and impacts from project GHG emissions would be less than significant.

***Conclusion***

Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the OMCPU Final PEIR. The project would not result in any new significant GHG emissions impact, nor is there a substantial increase in the severity of GHG emissions impacts from that described in the OMCPU Final PEIR.

## VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The St. Andrews Tentative Map shall be required to comply with all mitigation measures outlined within the Mitigation, Monitoring and Reporting Program of the previously certified OMCPU Final PEIR (SCH No. 2004651076) and the project-specific subsequent technical studies required. The following MMRP identifies measures those that specifically apply to this project.

### A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS**."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY –** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

### B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is

responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants:

- **Qualified Paleontologist**
- **Qualified Biologist**
- **Qualified Archaeologist**
- **Native American monitor**

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

CONTACT INFORMATION:

a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**

b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 360649 and/or Environmental Document Number 360649, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

   **Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency: Not Applicable.

4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific

areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**Note: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

**DOCUMENT SUBMITTAL/INSPECTION CHECKLIST**

| Issue Area | Document Submittal | Associated Inspection/Approvals/Notes |
|---|---|---|
| General | Consultant Qualification Letters | Prior to Preconstruction Meeting |
| General | Consultant Construction Monitoring Exhibits | Prior to or at Preconstruction Meeting |
| Biology | Biology Reports | Biology site surveys |
| Archaeology | Archaeology Reports | Archaeology/Historic Site Observation |
| Paleontology | Paleontology Reports | Paleontology Site Observation |
| Bond Release | Request for Bond Release Letter | Final MMRP Inspections Prior to Bond Release Letter |

## C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

### BIOLOGICAL RESOURCES

### BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION

#### I. Prior to Construction

A. **Biologist Verification** – The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

B. **Preconstruction Meeting –** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

C. **Biological Documents –** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); Endangered Species Acts (ESAs); and/or other local, state or federal requirements.

D. **BCME –** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

E. **Avian Protection Requirements –** To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report

or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

F. **Resource Delineation –** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

G. **Education –** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. **During Construction Monitoring** – All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1$^{st}$ day of monitoring, the first week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

A. **Subsequent Resource Identification –** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

### III. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

## D. BURROWING OWLS

**Species Specific Mitigation (Required to meet MSCP Subarea Plan Conditions of Coverage) for Potential Impacts to Western Burrowing Owl (BUOW) and Associated Habitat located OUTSIDE the MHPA (BUOW and associated habitat impacts within the MHPA MUST BE AVOIDED)**

**PRECONSTRUCTION SURVEY ELEMENT**

### I. Prior to Permit or Notice to Proceed Issuance:

A. As this project has been determined to be BUOW occupied or to have BUOW occupation potential, the Permit Holder shall submit evidence to the ADD of Entitlements verifying that a Biologist possessing qualifications pursuant "Staff Report on Burrowing Owl Mitigation," State of California Natural Resources Agency Department of Fish and Game. March 7, 2012 (hereafter referred as CDFG 2012, Staff Report), has been retained to implement a burrowing owl construction impact avoidance program.

B. The qualified BUOW biologist (or their designated biological representative) shall attend the pre-construction meeting to inform construction personnel about the City's BUOW requirements and subsequent survey schedule.

### II. Prior to Start of Construction:

A. The Permit Holder and Qualified Biologist must ensure that initial pre-construction/take avoidance surveys of the project "site" are completed between 14 and 30 days before initial construction activities, including brushing, clearing, grubbing, or grading of the project site; regardless of the time of the year. "Site" means the project site and the area within a radius of 450 feet of the project site. The report shall be submitted and approved by the Wildlife Agencies and/or City MSCP staff prior to construction or BUOW eviction(s) and shall include maps of the project site and BUOW locations on aerial photos.

B. The pre-construction survey shall follow the methods described in CDFG 2012, Staff Report -Appendix D *(please note, in 2013, CDFG became California Department of Fish and Wildlife or CDFW).*

C. 24 hours prior to commencement of ground disturbing activities, the Qualified Biologist shall verify results of preconstruction/take avoidance surveys. Verification shall be provided to the City's Mitigation Monitoring and Coordination (MMC) Section. If results of the preconstruction surveys have changed and BUOW are present in areas not previously identified, immediate notification to the City and WA's shall be provided prior to ground disturbing activities.

**III. During Construction:**

A. **Best Management Practices** shall be employed as BUOWs are known to use open pipes, culverts, excavated holes, and other burrow-like structures at construction sites. Legally permitted active construction projects which are BUOW occupied and have followed all protocol in this mitigation section, or sites within 450 feet of occupied BUOW areas, should undertake measures to discourage BUOWs from recolonizing previously occupied areas or colonizing new portions of the site. Such measures include, but are not limited to, ensuring that the ends of all pipes and culverts are covered when they are not being worked on, and covering rubble piles, dirt piles, ditches, and berms.

B. **On-going BUOW Detection** – If BUOWs or active burrows are not detected during the pre-construction surveys, Section 1 below shall be followed. If BUOWs or burrows are detected during the pre-construction surveys, Section 2 shall be followed. NEITHER THE MSCP SUBAREA PLAN NOR THIS MITIGATION SECTION ALLOWS FOR ANY BUOWs TO BE INJURED OR KILLED OUTSIDE **OR** WITHIN THE MHPA; in addition, IMPACTS TO BUOWs WITHIN THE MHPA MUST BE AVOIDED.

1. **Post Survey Follow Up if Burrowing Owls and/or Signs of Active Natural or Artificial Burrows Are <u>Not</u> Detected During the Initial Pre-Construction Survey -** Monitoring the site for new burrows is required using Appendix D protocol for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol)*

    a. If no active burrows are found but BUOWs are observed to occasionally (1-3 sightings) use the site for roosting or foraging, they should be allowed to do so with no changes in the construction or construction schedule.

b. If no active burrows are found but BUOWs are observed during follow up monitoring to repeatedly (4 or more sightings) use the site for roosting or foraging, the City's Mitigation Monitoring and Coordination (MMC) Section shall be notified and any portion of the site where owls have been sites and that has not been graded or otherwise disturbed shall be avoided until further notice.

c. If a BUOW begins using a burrow on the site at any time after the initial pre-construction survey, procedures described in Section B must be followed.

d. Any actions other than these require the approval of the City and the Wildlife Agencies.

2. **Post-Survey Follow Up if Burrowing Owls and/or Active Natural or Artificial Burrows are detected during the Initial Pre-Construction Survey -** Monitoring the site for new burrows is required using Appendix D CDFG 2012, Staff Report for the period following the initial pre-construction survey, until construction is scheduled to be complete and is complete *(NOTE - Using a projected completion date (that is amended if needed) will allow development of a monitoring schedule which adheres to the required number of surveys in the detection protocol).*

   a. This section (2) applies only to sites (including biologically defined territory) wholly outside of the MHPA – **all direct and indirect impacts to BUOWs within the MHPA <u>SHALL</u> be avoided.**

   b. If one or more BUOWs are using any burrows (including pipes, culverts, debris piles *etc.*) on or within 300 feet of the proposed construction area, the City's MMC Section shall be contacted. The City's MMC Section shall contact the Wildlife Agencies regarding eviction/collapsing burrows and enlist appropriate City biologist for on-going coordination with the Wildlife Agencies and the qualified consulting BUOW biologist. No construction shall occur within 300 feet of an active burrow without written concurrence from the Wildlife Agencies. This distance may increase or decrease, depending on the burrow's location in relation to the site's topography, and other physical and biological characteristics.

      (1) **Outside the Breeding Season** – If the BUOW is using a burrow on site outside the breeding season (i.e., September 1 – January 31), the BUOW may be evicted after the qualified BUOW biologist has determined via fiber optic camera or other appropriate device, that no eggs, young, or adults are in the burrow and written concurrence from the Wildlife Agencies for eviction is obtained prior to implementation.

(2) **During Breeding Season** – If a BUOW is using a burrow on-site during the breeding season (Feb 1- Aug 31), construction shall not occur within 300 feet of the burrow until the **young** have fledged and are no longer dependent on the burrow, at which time the BUOWs can be evicted. Eviction requires written concurrence from the Wildlife Agencies prior to implementation.

C. **Survey Reporting During Construction –** Details of construction surveys and evictions (if applicable) carried out shall be immediately (within five working days or sooner) reported to the City's MMC Section and the Wildlife Agencies and must be provided in writing (as by email) and acknowledged to have been received by the required Agencies and DSD staff member(s).

**IV. Post Construction**:

A. Details of the all surveys and actions undertaken on-site with respect to BUOWs (i.e. occupation, eviction, locations etc.) shall be reported to the City's MMC Section and the Wildlife Agencies within 21 days post-construction and prior to the release of any grading bonds. This report must include summaries off all previous reports for the site; and maps of the project site and BUOW locations on aerial photos.

## E. HISTORICAL RESOURCES (ARCHAEOLOGY)

### I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have

completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.

3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

## II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search (1/4-mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

3. The PI may submit a detailed letter to MMC requesting a reduction to the 1/4-mile radius.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Preconstruction Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

   a. If the PI is unable to attend the Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

## III. During Construction

A. Monitor(s) Shall be Present During Grading/Excavation/Trenching

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion)**, and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

   a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.

   b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval

from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

**IV. Discovery of Human Remains**

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.

2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.

4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.

5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:

    a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;

    b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,

    c. In order to protect these sites, the Landowner shall do one or more of the following:

        (1) Record the site with the NAHC;

        (2) Record an open space or conservation easement on the site;

        (3) Record a document with the County.

    d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried

with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

D. If Human Remains are **NOT** Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.

2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).

3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

## V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Preconstruction meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

## VI. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**

a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

b. Recording Sites with State of California Department of Parks and Recreation.

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.

2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

3. The cost for curation is the responsibility of the property owner.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if

negative), within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## F. PALEONTOLOGICAL RESOURCES

### I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.

3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

### II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.

2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, BI, if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

   a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

   Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

   a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

   b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

## III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

3. The monitor shall document field activity via the CSVR. The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion)**, and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.

3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.

   a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

   b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground

disturbing activities in the area of discovery will be allowed to resume.

c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

## IV. Night and/or Weekend Work

A. If Night and/or Weekend Work is Included in the Contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.

a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

## V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,

    a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

    b. Recording Sites with the San Diego Natural History Museum

    The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

C. Curation of fossil remains: Deed of Gift and Acceptance Verification

1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.

2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

## VII. SIGNIFICANT UNMITIGATED IMPACTS

The OMCPU Final PEIR indicated that direct significant impacts to the following issues would be substantially lessened or avoided if all the proposed mitigation measures recommended in the OMCPU Final PEIR are implemented: land use, biological resources, historical resources, human health/public safety/hazardous materials, hydrology/water quality, geology/soils, and paleontological resources. The OMCPU Final PEIR concluded that significant impacts related to noise, traffic/circulation, air quality, greenhouse gas (GHG) emissions, and utilities would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the OMCPU Final PEIR would result in significant traffic/circulation, air quality, noise, utilities (solid waste), and GHG emissions, which would remain significant and unmitigable.

The St. Andrews Tentative Map would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the OMCPU Final PEIR.

## VIII. CERTIFICATION

Copies of the Addendum to the OMCPU Final PEIR (SCH No. 2004651076), and any technical appendices may be reviewed in the office of the Land Development Review Division of the Development Services Department for review, or for purchase at the cost of reproduction.

Anna McPherson AICP Senior Planner
Development Services Department

May 10, 2016
Date of Final Addendum Report

Analyst: Rhonda Benally

Attachments:
Figure 1: Regional Location
Figure 2: Project Vicinity (Aerial Photograph)
Figure 3: Tentative Map

## REFERENCES


Construction Testing and Engineering, Inc. April 22, 2014. Limited Geologic Reconnaissance Undeveloped Property, South of Otay Mesa Road, and North of State Route 905, Between Ailsa Court and St. Andrews Road, San Diego, California.

HELIX Environmental Planning, Inc. September 28, 2015a. Biological Letter Report for the St. Andrews Tentative Map (Project No. 360649).

HELIX Environmental Planning, Inc. June 29, 2015b. St. Andrews (Otay Mesa Center) Tentative Subdivision Map-Cultural Resources Study Update.

LOS Engineering, Inc. September 18, 2014. Tentative Map – Trip Generation Analysis.

REC Consultants, Inc. June 2015. Solid Waste Management Plan for the St. Andrews Tentative Map.

Scientific Resources Associated. September 16, 2015. Global Climate Change Evaluation for the St. Andrews Tentative Map.

Spear & Associates, Inc. January 2015a. Water Quality Technical Report for St. Andrews Tentative Map.

Spear & Associates, Inc. January 2015b. Hydrology & Hydraulic Report for St. Andrews Tentative Map.

Spear & Associates, Inc. March 2015c. Sewer Study for Saint Andrews Ave Extension.

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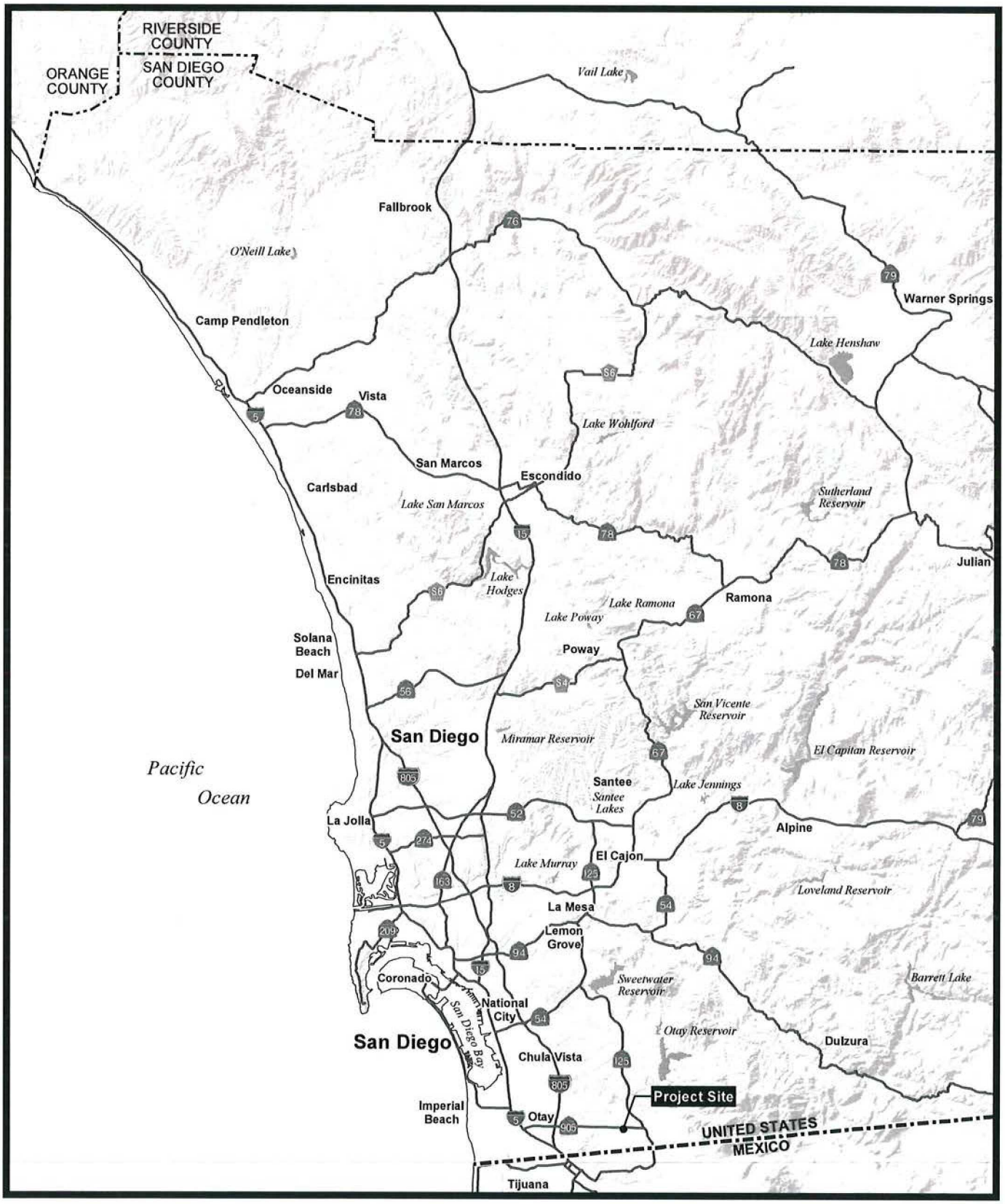


# Regional Location

St. Andrews Tentative Map/Project No. 360649

City of San Diego – Development Services Department

**FIGURE**

**No. 1**


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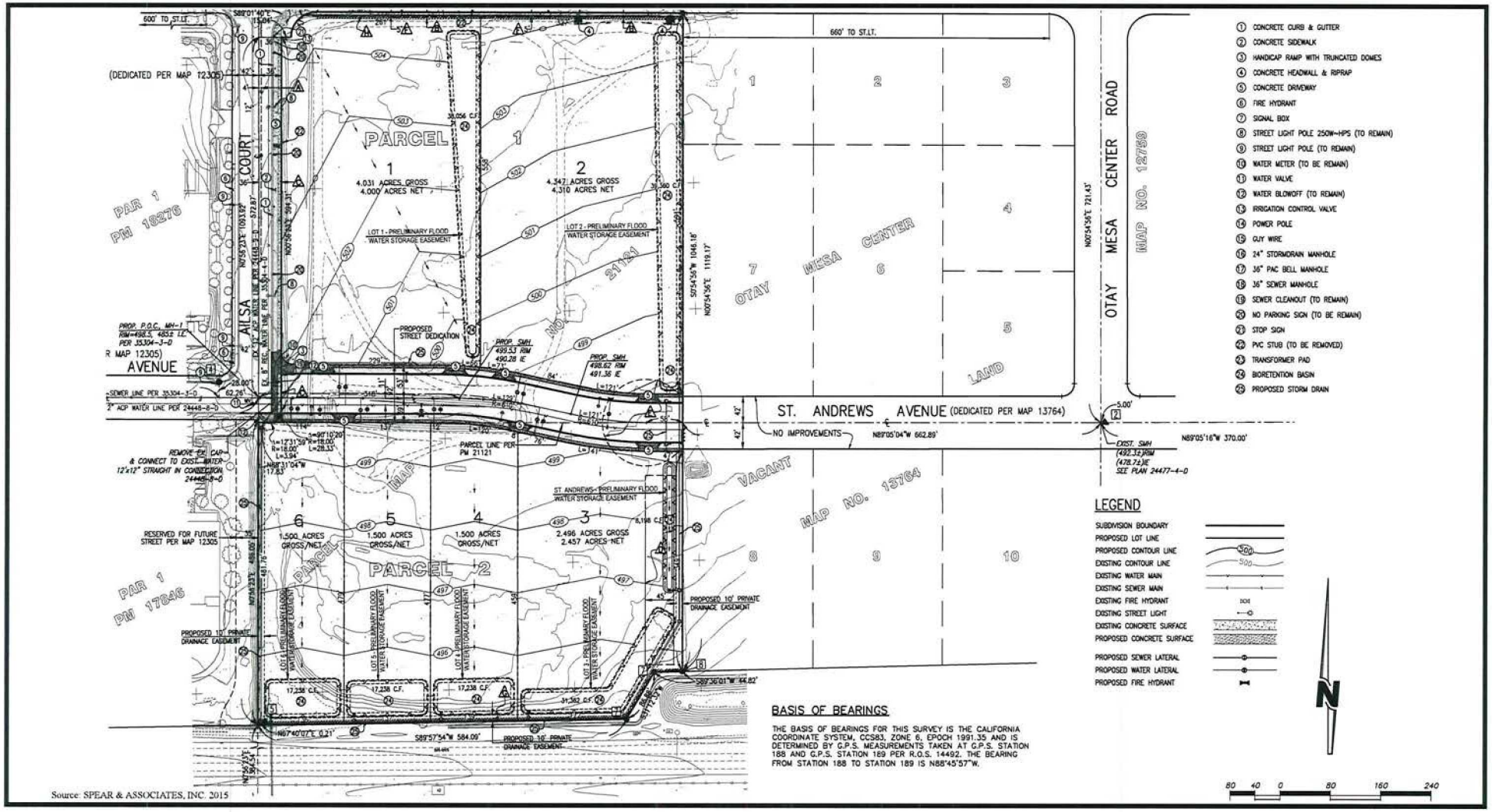
# Project Vicinity (Aerial Photograph)

St. Andrews Tentative Map/Project No. 360649

City of San Diego – Development Services Department

**FIGURE**

**No. 2**




Source: SPEAR & ASSOCIATES, INC. 2015

**Tentative Map**

St. Andrews Tentative Map/Project No. 360649

City of San Diego – Development Services Department

**FIGURE**

**No. 3**